

GAHC010138082024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./2005/2024

MASUD ALAM
S/O SRI AKIMUDDIN AHMED,
R/O SATKHALI, P.O.- SATKHALI,
P.S.- SIPARJHAR, DIST.- DARRANG, ASSAM, PIN- 781019.

VERSUS

STATE OF ASSAM
REP. BY P.P., ASSAM.

Advocate for the Petitioner : MR. N BORUAH

Advocate for the Respondent :

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 17.07.2024

Heard Mr. N.Boruah, learned counsel for the petitioner as well as Mr. B.Sharma, learned Addl. P.P., Assam for the State respondent.

By this application filed under section 483 of the Bharatiya Nagarik Suraskha Sanhita, 2023, the accused petitioner namely, **Masud Alam** has prayed for bail in connection with **Sipajhar PS Case No. 99/2024** under Sections 7/8/9 of the Immoral Traffic (Prevention) Act, 1956.

Case diary is received.

The learned counsel for the petitioner submits that the petitioner is a college student. He has been in judicial custody for last 20 days. The petitioner was a customer in a brothel. It is submitted that the Section 8 of Immoral Traffic (Prevention) Act as alleged against the petitioner for which punishment is only 6 months for the first offence. In view of the above, petitioner may be enlarged on bail.

The learned Addl.P.P. has produced the case diary and submits that he has objection against the prayer of bail.

Having heard the learned counsel for the parties and on perusal of the case diary and the averments made in this petition, it appears that the petitioner is a student and he was the customer in the brothel. As it appears that if Section 8 is attracted against the petitioner, which is bailable in nature. Considering the fact in its entirety, this Court is of the considered opinion that further detention of the petitioner in the interest of investigation is not warranted.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 50,000/-** with one surety of like amount to the satisfaction of the learned **CJM, Darrang, Mangaldai** subject to the following conditions;-

- (i) The petitioner shall not leave the territorial jurisdiction of learned CJM, Darrang, Mangaldai without prior written permission from him/her;
- (ii) That the petitioner shall cooperate with the Investigating Officer as and when required;
- (iii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Police Officer or the Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

Return the case diary

JUDGE

Comparing Assistant