

GAHC010140072024



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

Case No. : AB/1815/2024

JAHURA KHATUN AND 3 ORS.
W/O HIKMAT ALI, R/O VILL- HALONGBARI, P.O.-KOTHALMURI GHAT, P.S.-
PATACHARKUCHI, DIST- BAJALI, ASSAM, PIN-781328

2: HIKMAT ALI
S/O HUSSAIN ALI
R/O VILL- HALONGBARI
P.O.-KOTHALMURI GHAT
P.S.-PATACHARKUCHI
DIST- BAJALI
ASSAM
PIN-781328

3: JAHIDUL ISLAM
S/O HIKMAT ALI
R/O VILL- HALONGBARI
P.O.-KOTHALMURI GHAT
P.S.-PATACHARKUCHI
DIST- BAJALI
ASSAM
PIN-781328

4: RITUL ISLAM
S/O HIKMAT ALI
R/O VILL- HALONGBARI
P.O.-KOTHALMURI GHAT
P.S.-PATACHARKUCHI
DIST- BAJALI
ASSAM
PIN-78132

VERSUS

THE STATE OF ASSAM

REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : G UDDIN, MR. J UDDIN, MR A K AZAD, P ADHIKARI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 16.09.2024

Heard Mr. A.K. Azad, learned counsel appearing for the petitioners as well as Mr. R.J. Baruah, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023, whereby the petitioners, 1. Jahura Khatun, 2. Hikamt Ali, 3. Jahidul Islam and 4. Ritul Ali Ahmed have prayed for releasing them on bail in connection with Patacharkuchi (PKC) P.S. Case No. 142/2024.

3. The victim girl was in love with the petitioner. Pursuant to their relationship, they had physical relationship on multiple times. She has alleged that she even stayed in his house for 19 days and during that period, his father and brother committed physical harassment to her.

4. Pursuant to the interim order granted in favour of the petitioners on 17.07.2024, all the petitioners have appeared before the Investigating Officer and have co-operated with the investigation.

5. Since the petitioner have co-operated with the investigation, their custodial interrogation is not necessary. Therefore, the bail application of the petitioners is allowed.

6. The interim bail granted in favour of the petitioners on 17.07.2024 is hereby made absolute. It is also directed that the petitioners shall not threaten the victim girl.

With the aforesaid direction, the bail application stands disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant