

GAHC010155112024



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

Case No. : Bail Appln./2272/2024

BISHAL DIP SAIKIA
S/O SRI TARUN CHANDRA SAIKIA, R/O PUB BHARBHAGIA, P.S.-
MIKIRBHETA, DIST-MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S R GOGOI, MR. C SARMAH, MS B DUTTA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

05.08.2024

Heard Mr. S R Gogoi, learned counsel for the petitioner as well as Mr. D Das, learned Additional Public Prosecutor, Assam.

This is an application filed under section 483 of the BNSS, 2023 praying for grant of regular bail by the petitioner, namely, Sri Bishal Dip Saikia, in connection with Mikirbheta P.S. Case No. 102/2024 registered under Sections 365/376/420/313 of the Indian Penal Code.

One girl has lodged an FIR before the Police alleging that she had love with the present petitioner

and on 21.03.2024 she eloped with him and started to reside with him in his residence. They solemnised their marriage in a temple. After that, both came to Guwahati and started to reside in a rented house. In the meantime, the girl has become pregnant. The girl has alleged that the accused had forced her to take medicines for termination of her pregnancy. It is also alleged that the petitioner threatened her. After that, the petitioner left the informant alone at Guwahati and, thereafter, she had returned to her parental house.

The petitioner is in custody for about 29 days.

I have considered the submission made by the learned counsel of both sides. It appears that it is a quarrel between husband and the wife and, therefore, the petitioner no longer deserves to be detained in custody. Hence, the bail application is disposed of.

Accordingly, the petitioner, namely, Sri Bishal Dip Saikia, who was arrested in connection with Mikirbheta P.S. Case No. 102/2024 registered under Sections 365/376/420/313 of the Indian Penal Code, shall be released on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Morigaon.

With the above, the present bail application is disposed of.

JUDGE

Comparing Assistant