

GAHC010168742024



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

Case No. : Bail Appln./2509/2024

RAM KUMAR BIN
S/O ARUN BIN, VILL- DIVISION NO. 6, DEWAN BAGAN, P.S.-LAKHIPUR,
DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR D C NATH, MR. M MONDAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

09.09.2024

1. Heard Mr. D. C. Nath, learned counsel for the petitioner Ram Kumar Bin.
2. The petitioner has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 28.05.2024 in connection with Session Case No. 117/2024 arising out of Gohpur

P.S. Case No. 72/2024 registered under Section 371 of the IPC.

3. Heard Mr. R. R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

4. It is submitted on behalf of the petitioner that the petitioner and the victim had a love affair and the victim went with the petitioner on her own volition. It is submitted that the petitioner is highly prejudiced for his prolonged incarceration.

5. I have considered the submission that the petitioner is willing to co-operate with the trial and he is willing to abide by any stringent bail conditions if, imposed upon him. I have scrutinized the Trial Court Records and the statements of the victim.

6. Considering all aspects, petition is allowed. The petitioner shall be enlarged on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) with a local surety of like amount to the satisfaction of the learned Trial Court under the conditions that:

- (i) The petitioner shall co-operate with the trial,
- (ii) The petitioner shall not jump the bail, and
- (iii) The petitioner shall not exercise threats to the witnesses.

7. On breach of any of the bail conditions, bail order shall stand automatically cancelled.

8. In terms of the above observation, bail application stands disposed of.

JUDGE

Comparing Assistant