

GAHC010172172024



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

Case No. : AB/2222/2024

PARAM ALI
S/O HANIF ALI
R/O AZARA HATHKHOWAPARA
NEAR DON BOSCO COLLEGE,
AZARA, P.O. AZARA, P.S. AZARA, PIN-781017
DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. N D BHUYAN, MR. A. M. SIDDIQUE, MR P D BHUYAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 05-09-2024

Heard Mr. P.D. Bhuyan, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam appearing for the State respondent.

The present application has been so instituted under Section 482 of the BNSS, 2023 for grant of pre-arrest bail to the petitioner namely, Param Ali in connection with Azara P.S. Case No.166/2024

under section 87 of BNS, 2023.

Today, Mr. B. Sarma, learned Additional Public Prosecutor has produced the case diary. I have perused the same.

Perusal of the FIR would go to reveal that the victim girl was alleged to have been kidnapped by the petitioner herein.

Mr. B. Sarma, learned Additional Public Prosecutor has vehemently opposed to grant bail to the petitioner herein and submits that further investigation is called for in the matter.

Case diary contains the statement of the victim girl recorded under Section 183 BNSS, wherein, she has categorically stated that she was in a love relationship with the petitioner herein and on account of that, she was subjected to torture by her parents. She further stated that she had eloped with the petitioner on her own will.

In view of the statement made by the victim girl, this Court is of the view that the petitioner herein is entitled to be enlarged on pre-arrest bail.

Accordingly, it is provided that in the event of arrest of the petitioner named above in connection Azara P.S. Case No.166/2024 under section 87 of BNS, 2023, he shall be released on bail on furnishing a bail bond of Rs.20,000/- (Rupees twenty thousand) with a like surety of the like amount to the satisfaction of the Arresting Authority subject to the condition that the petitioner shall cooperate with the I/O in smooth conclusion of the investigation of the matter.

With the above observation and direction, the Anticipatory Bail application stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant