

GAHC010173972024



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

Case No. : AB/2260/2024

NAZMUL UDDIN @ NAZRUL ISLAM
S/O LATE ABDUL HANNAN
R/O VILL- BOGLIGOOOL
P.O. ANGLARBAZAR, P.S. BADARPUR, DIST. KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S DAS, P J DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

30.08.2024

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

This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner, namely, Nazmul Uddin @ Nazrul Islam, for pre-arrest bail in connection with Badarpur P.S. Case No. 200/2024 under sections 376/506 IPC.

The allegation made by a married woman having two children against the petitioner is that on 14.02.2024, at about 10 PM, when her husband was not present in the house, the petitioner had entered her house and forcibly committed rape on her. It is further alleged that on that day, the petitioner forcibly took some nude photographs of her. After five months, on 17.07.2024, the petitioner allegedly uploaded her nude photographs in the social media.

Further, the informant has alleged that the accused had come to her house and threatened her with dire consequences and also inviting her to marry with him.

After considering the contents of the FIR, this court is of the opinion that the petitioner does not deserve to be detained in custody for the allegation brought against him.

Accordingly, it is directed that in the event of arrest of the petitioner, namely, Nazmul Uddin @ Nazrul Islam, in connection with Badarpur P.S. Case No. 200/2024 under sections 376/506 IPC the arresting authority shall release him on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the arresting authority.

The petitioner is directed to appear before the Investigating Officer within next 10 (ten) days and shall cooperate with the investigation as and when required.

The bail application is disposed of.

JUDGE

Comparing Assistant