

GAHC010174152024



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

Case No. : Bail Appln./2566/2024

NITISH KUMAR
S/O SURESH MAHATO, R/O BIRHA, P.S.-ROSRA, DIST- SAMASTIPUR,
PRESENT ADD- FANCY BAZAR, NO. 4 GATE, OPPOSITE KALI MANDIR, P.S.-
FANCY BAZAR, DIST- KAMRUP (M), ASSAM

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR KUTUB ALI, MS A AFREEN, MR D J DEKA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

29.08.2024

Heard Mr. D Deka, learned counsel for the petitioner as well as Mr. B Sharma, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 by the petitioner, namely, Nitish Kumar, who is in custody since 09.08.2024 in connection with Chandmari P.S. Case No. 171/2024 registered under Sections 308(2)/64/318(4) of the BNS has prayed for release on bail.

The informant has alleged in the FIR that she had love affairs with the petitioner and in pursuant to

their relationship, they had spent many days in different hotels having physical relationship. Thereafter, the petitioner allegedly demanded Rs.5,000/- from the informant and threatened that if the informant fails to pay the said amount to him then he will post the nude photos of the informant in the social media.

The petitioner has already spent 22 (twenty two) days in judicial custody.

I have considered the submission made by the learned counsel of both sides. This court is of the opinion that under the given circumstances, the petitioner does not deserve to be detained in custody for a further period of time. Hence, the bail prayer of the petitioner is allowed.

Accordingly, it is directed that the petitioner, namely, Nitish Kumar, who is in custody since 09.08.2024 in connection with Chandmari P.S. Case No. 171/2024 registered under Sections 308(2)/64/318(4) of the BNS shall be released on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The bail application is disposed of.

JUDGE

Comparing Assistant