

GAHC010174352024



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

Case No. : Bail Appln./2589/2024

NOJRUL ISLAM
S/O MOJER ALI, VILL- BALARBHITA, P.S.-BAGUAN, DIST-GOALPARA,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M KHAN, MR T T MONI,MR A HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 23.09.2024

Heard Mr. A.M. Khan, learned counsel appearing for the petitioner as well as Mr. R. J. Baruah, learned Additional Public Prosecutor for the state of Assam.

2. This is application under Section 439 of the Cr.P.C. praying for releasing the petitioner Nojrul Islam on bail after he was arrested in connection with Baguan P.S. Case No. 39/2024.

3. The informant has alleged that pursuant to the relationship of his sister with the present petitioner, his 18 year old sister got married to the petitioner. After 15 days of marriage, the mother, sister, uncle and father of the present petitioner physically harassed his sister for want of dowry. On 15.05.2024, the informant came to know that his sister was dead. The informant suspected that the petitioner and his family members had killed the girl.

4. The case diary reveals that on one occasion the girl went to the house of the petitioner but she was not allowed to enter into the house of the petitioner because she married with the petitioner without the consent of the petitioner's parents. On the next day, she committed suicide by hanging. Apart from that, there are no incriminating materials against the present petitioner in the case diary. The family members of the girl had implicated the present petitioner and his family members in this case.

5. Considering the aforesaid fact, this Court is of the opinion that the petitioner no longer deserves to be detained in custody.

6. It is hereby directed that the petitioner, Nojrul Islam shall be released on bail of Rs. 25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Goalpara.

The bail application stands disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant