

GAHC010174452024



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

Case No. : Bail Appln./2605/2024

MINHAZUL HAQUE
S/O AKKAS ALI, R/O BARUAJHAR, P.S. AND DIST-DARRANG (ASSAM)

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:EUNUS ALI
S/O LATE MAKBUL HUSSAIN
R/O NO. 5 BARUAJHAR
P.O. AND DIST- DARRANG
ASSAM
PIN-79310

Advocate for the Petitioner : MR. D K BAGCHI, MS. MALLIKA DEVI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 06-09-2024

Heard Mr. D.K. Bagchi, learned counsel for the petitioner Minhazul Haque, who has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since

08.06.2024 in connection with Dalgaon Police Station Case No. 120/2024 (GR No. 506/2024) under Sections 376(2) (n) of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

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

3. Case Diary is received. Charge sheet has not been laid against the petitioner. The petitioner is behind bars for 90 (Ninety) days. The allegation against the petitioner is that he has committed sexual assault on the minor victim X.

4. I have considered the length of detention. Petition is allowed. The petitioner is enlarged on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) with a suitable surety of like amount to the satisfaction of the learned Special Judge, Darrang.

5. In terms of the above observation, this Bail Application stands disposed of.

6. Send back the Case Diary.

JUDGE

Comparing Assistant