

GAHC010179012024



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

Case No. : AB/2322/2024

SAHIL HOQUE AND SAHIL RAHAMAN
S/O SIDDIK ALI @ ABU BAKKAR SIDDIK, R/O VILL- W/NO. 14, I.G. ROAD,
P.O. DHUBRI,
P.S. AND DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
TO BE REP. BY THE PP, ASSAM

2:ALEJAN BIBI
W/O LATE HAFIJ UDDIN
R/O VILL- W/NO. 14
I.G. ROAD
P.O. DHUBRI

P.S. AND DIST. DHUBRI
ASSAM

PIN-78330

Advocate for the Petitioner : MS A BEGUM,

Advocate for the Respondent : PP, ASSAM, MS A KHATUN (R-2), S. M. ZINNA(R-2)

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 24.10.2024

Heard Ms. A.Begum, learned counsel for the petitioner as well as Mr. B.Sarma, learned Addl. P.P., Assam for the State respondent No.1. Also heard Mr. S.M.Zinna, learned counsel for the respondent No.2.

This application under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner, namely **Sahil Hoque @ Sahil Rahman** praying for pre-arrest bail apprehending arrest in connection with **Dhubri P.S. Case No. 49/ 2024** (GR Case No.164/2024) under Section 365/376 of the IPC r/w Section 4 of the POCSO Act.

The allegation in the FIR in brief is that taking advantage of absence of the informant in her house on 17.02.2024, the petitioner by giving false promises, eloped with the minor daughter of the informant and kept her in some unknown place.

It is submitted by learned counsel for the petitioner that the matter has been amicably settled between the parties. The petitioner did not receive any notice from the concerned court. The petitioner is ready to face the trial and as such, benefit of pre-arrest bail may be extended to the petitioner.

On the other hand, learned Addl.P.P for the respondent No.1 submits that the petitioner has been shown as absconder in the charge sheet. This is a case under the POCSO Act and as such, petitioner may approach the trial court and seek regular bail.

The learned counsel for the respondent No.2 submits that the petitioner may approach the trial court.

Considering the averments made in the petition and the submission of the parties, it is directed that the petitioner shall appear before the learned trial court within 15 (fifteen) days from today and in the event of filing any bail application, learned trial court will consider the matter in accordance with law.

The pre-arrest bail application stands disposed of.

JUDGE

Comparing Assistant