

GAHC010184872024



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

Case No. : AB/2404/2024

NAJIMUL ISLAM
S/O MAHAMMAD ALI, VILL- BAGARIBARI, P.S.-MIKIRBHETA, DIST-
MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J AHMED, MR N ZAMAN, H G DAISY, R BEGUM, MS A
HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18-09-2024

Heard Mr. J. Ahmed, learned counsel appearing for the petitioner. I have also heard Ms. S.H. Bora, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for

pre-arrest bail in respect of Mikirbheta P.S. Case No.104/2024, registered under Section 69, Bharatiya Nyaya Sanhita (BNS), 2023.

3. A 22 year old married woman had developed relationship with the present petitioner. They had physical relationship also. They even spent night in a hotel. After that, he refused to marry her. He even offered an amount of Rs. 30,000/- to settle the dispute.

4. I have considered the submissions made by the learned counsel of both sides.

5. On a plain reading of the FIR, no incriminating case is found to be established against the petitioner. Therefore, the pre-arrest bail application is allowed.

6. It is hereby directed that in the event of arrest in connection with Mikirbheta P.S. Case No.104/2024, registered under 69, of the BNS, 2023, the petitioner, namely, Najimul Islam shall be released on bail of ₹20,000/- with surety of like amount to the satisfaction of the arresting authority.

7. The petitioner shall co-operate with the police investigation as and when required.

8. The application for bail is disposed of accordingly.

9. Case diary shall be returned.

JUDGE

Comparing Assistant