

GAHC010185002023



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

Case No. : Bail Appln./2998/2023

NUR ALOM
S/O SUBASH AHMED (BASU) @ ABDUR RAHMAN
R/O VILL- KOTHALTOLI BAZAR
P.S. GOLAKGANJ, DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

2:JURAN ALI
S/O ABDUL BASAR SEIKH
VILL. - KAIMARI PT - II

PS - GOLAKGANJ
KOITALTOLI BAZAR

DISTRICT - DHUBRI (ASSAM)

Advocate for the Petitioner : MRS. K DEVI, MS S A KHALIFA

Advocate for the Respondent : PP, ASSAM, MRS. S KHATANIAR (LEGAL AID COUNSEL FOR R-2)

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 06-09-2024

Heard Ms. K. Devi, learned counsel for the petitioner Md. Nur Alom, who

has filed this application under Section 439 of the Code of Criminal Procedure, 1973 with prayer for bail as he is behind bars since 26.08.2022 in connection with Golakganj Police Station Case No. 205/202 under Sections 365/342/506 of the Indian Penal Code, 1860 read with Section 4 of the Protection from Children from Sexual Offences Act, 2012.

3. Heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State and Ms. S. Khataniar, learned Legal Aid Counsel for the respondent No. 2.

4. I have considered the submissions at the bar with circumspection.

5. The allegation against the petitioner is that he has committed sexual assault on the minor victim X. The petitioner has been behind bars for more than two years. The evidence of the victim has already been recorded. It appears that trial may not be adversely affected if the petitioner is admitted to bail. I deem it fit and proper to grant bail to the petitioner.

6. 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, Dhubri under the conditions that :

(i) The petitioner shall cooperate with the trial and he shall not jump the bail and;

(ii) The petitioner shall not leave the jurisdiction of the Court without prior permission till completion of trial.

7. On breach of any of the bail conditions, bail order shall automatically stand cancelled.

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

JUDGE

Comparing Assistant