

GAHC010204442024



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

Case No. : Bail Appln./3000/2024

MD AMAN ALI
S/O MD. MARFAT ALI, R/O VILL- SINGORA BARBAMPATHAR, P.S.-NORTH
LAKHIMPUR, DIST- LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 30.09.2024

Heard Mr. B. Chowdhury, learned counsel appearing for the petitioner and Ms. S. H. Bora, learned Additional Public Prosecutor for the state of Assam.

2. This is an application under Section 483 of the BNSS, 2023 praying for grant of regular bail to the petitioner, Md. Aman Ali, who was arrested in connection with North Lakhimpur P.S. Case No. 259/2024 (corresponding to GR Case No.663/2024).

3. On 29.08.2024, a 19 year old girl gave birth to a baby at home and after birth, the baby died. Her parents asked her who was the father of the baby ? She told her parents that the present petitioner is the father of the baby. She reportedly told her parents that the petitioner had forcefully cohabited with her in the month of March, 2023 and thereafter, the petitioner threatened her that if she discloses the matter to anyone else, she would kill her.
4. The petitioner has also confessed before police that he is the father of the child.
5. I have considered the submissions made by the learned counsels of both sides.
6. The petitioner has been in custody for 31 days.
7. This Court is of the opinion that the petitioner no longer deserve to be detained in custody. Therefore, his bail application is allowed.
8. It is hereby directed that the petitioner, Md. Aman Ali, who was arrested in connection with North Lakhimpur P.S. Case No. 259/2024 (corresponding to GR Case No.663/2024) shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Lakhimpur, North Lakhimpur, Assam.
9. The bail application stands disposed of accordingly.

JUDGE

Comparing Assistant