

GAHC010205072024



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

Case No. : AB/2656/2024

GOVINDA NAMO SUDRA
S/O ATUL NAMO SUDRA
R/O VILL SURIPARA
P.S. SAPATGRAM
DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR A HAWARI, A R MONDAL, MR. S ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 07.11.2024

Heard Mr.S. Islam, learned counsel appearing for the petitioner as well as Mr. Bankim Sarma, the learned Additional P.P. for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of Sapatgram P.S. Case No. 39/2024.
3. One married woman has alleged that in the absence of her husband on 29.07.2024 at

about 3 AM, in the morning, one Budheswar Das had entered into her house and took her into his house nearby, where he committed rape upon her. The present petitioner and other people pulled her out of the room. She was undressed and they took her video. She was also beaten up.

4. The case diary reveals that the informant woman was having illicit relationship with the said person. On the day of occurrence the other villagers detected then and for that matter, the aforesaid incident took place. It appears that the woman has exaggerated the things in the FIR,

5. I have considered the submissions made by the learned counsels of both sides.

6. This Court is of the opinion that for the aforesaid circumstances, the present petitioner does not deserve to be detained in custody. Therefore, his pre-arrest bail application is allowed.

7. It is hereby directed that in the event of arrest in connection with Sapatgram P.S. Case No. 39/2024, the petitioner, Gobinda Namo Sudra shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the arresting authority.

8. The petitioner is directed to appear before the Investigating Officer within next 10 (ten) days from today.

9. With the aforesaid directions, the bail application stands disposed of
CD shall be returned.

JUDGE

Comparing Assistant