

GAHC010205942024



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

Case No. : Bail Appln./3066/2024

ARUP MITRA
S/O SRI AKAN MITRA, R/O ARANYA NAGAR, CHANDRAPUR, P.O.-
CHANDRAPUR, P.S.-PRAGJYOTISHPUR, GUWAHATI-781150, DIST-KAMRUP
(M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A ROY, MR. U. DUTTA
Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

04.10.2024

Heard the learned counsel Mr. A. Roy appearing for the petitioner. Also heard Mr. D. Das, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 praying for grant of regular bail to the petitioner, namely- Arup Mitra who was arrested on 17.09.2024 in connection with Pragjyotishpur P.S. Case No.101/2024 under Sections 85/115(2)/108/62/3(5) of the BNS, 2023.

3. The wife of the present petitioner had tried to commit suicide by jumping into the river. She was rescued and was handed over to police. Thereafter, police came to know that the petitioner in spite of being married was maintaining a relationship with another married woman of the same locality.
4. On 17.09.2024, the other woman came to the house of the petitioner and assaulted the wife of the present petitioner. That is the reason why the wife of the petitioner tried to commit suicide by jumping into the river.
5. I have considered the submissions made by the learned counsel of both sides.
6. On a plain reading of the FIR it can be presumed that the present petitioner is not guilty of abetting his wife to commit suicide.
7. The petitioner has now completed 17 days in judicial custody.
8. Considering the period of detention already undergone by the present petitioner in custody in the light of the allegation brought against him, his bail application is allowed.
9. It is hereby directed the petitioner, namely- Arup Mitra who was arrested on 17.09.2024 in connection with Pragjyotishpur P.S. Case No.101/2024 under Sections 85/115(2)/108/62/3(5) of the BNS, 2023, is allowed to go on bail of ₹20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The bail application is disposed of accordingly.

JUDGE

Comparing Assistant