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

Case No. : Bail Appln./3290/2024

MURARI KR SAHU
S/O SRI BIDAN SAHU, P/R/O AKOPUR, P.S.-SINGIA, DIST-SAMASTIPUR,
BIHAR AND P/R/A KUMARAPARA PANCHALI, C/O GUDDU GUPTA, P.O.
AND P.S.-BHARLUMUKH, DIST- KAMRUP (M), GUWAHATI-781009, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. V N UPADHYAY, MS P MISHRA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.12.2024

Heard Ms. P. Mishra, learned counsel appearing for the petitioner as well as Mr. D. Das, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application u/s 483 of the BNSS, 2023 filed by the petitioner, namely, Sri Murari Kr. Sahu praying for releasing him on bail, who is facing trial in Sessions Case 203/2024 pending in the court of the learned Sessions Judge, (FTC) No. 4, Kamrup (Metro).

3. The prosecution story is that in the month of January, 2020, the petitioner and another person called Abdesb Kumar went to the house of a girl. Abdesb Kumar gave her some sweets stating that it was a prasad of a mandir. The girl consumed the sweets and thereafter, she lost her consciousness. Thereafter, she woke up and found that her wearing apparels were not proper. The petitioner was still there in the house of the girl and he showed some videos in mobile phone, wherein he was doing some sexual activities with the girl. The petitioner allegedly threatened the girl by showing the videos. After that, the petitioner continued his relationship with the girl. As a result of which, she became pregnant. The petitioner refused to marry the girl.

4. Ms. Mishra submits that when police called the petitioner to the police station, he went there and he was arrested on that day. On the next day, the charge sheet was filed, but the charge sheet does not contain the materials against the petitioner. According to Ms. Mishra, the petitioner has been in custody since 29.07.2024.

5. The trial has not started because the court of the learned Sessions Judge, (FTC) No. 4, Kamrup (Metro) is now vacant.

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

7. This Court is of the opinion that the petitioner does not deserve to be detained in custody. Therefore, the bail application is allowed.

8. The petitioner, Sri Murari Kr. Sahu who is facing trial in Sessions Case 203/2024 pending in the court of the learned Sessions Judge, (FTC) No. 4, Kamrup (Metro) shall be released on bail of Rs. 20,000/- with a surety of like amount to the satisfaction of the learned Sessions Judge, Kamrup (Metro), Guwahati.

9. The bail application stands disposed of accordingly.

The CD shall be returned.

JUDGE

Comparing Assistant