

GAHC010229412024



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

Case No. : Bail Appln./3361/2024

BIKI MARAK
S/O SUDHIR MARAK, VILL- SISTI JHORA, P.S.-BOGRIBARI, DIST-
KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N UDDIN, MS. A AKHTAR, MR S K CHHETRY, MR. M ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

05.11.2024

Heard Mr. N Uddin, learned counsel for the petitioner and Mr. M P Goswami, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 by the petitioner, namely, Biki Marak, praying for release on bail, who was arrested in connection with Jogighopa P.S. Case No. 174/2024.

An 18 [eighteen] years old girl came to know about the petitioner through facebook. Their relationship blossomed into love. The petitioner introduced himself to be a Hindu person.

On 18.10.2024, the petitioner gave her a proposal to marry. The girl alleges that on that day she was forcibly taken into different places in a motorcycle. Subsequently, she came to know that the petitioner belonging to Garo community and he was not a Hindu. The girl further alleges that she was actually taken to different places so that he can sell her to some other person.

Mr. Uddin submits that the girl has already been recovered and she is now with her parents.

Mr. Goswami has submitted that since the allegation of kidnapping is there, perusal of the Case Diary will be necessary.

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

The petitioner is a 19 [nineteen] years old boy.

This court is of the opinion that for the aforesaid allegation, the petitioner does not deserve to be detained in custody for further period of time. Therefore, the bail application is allowed.

Accordingly, it is directed that the petitioner Biki Marak, who was arrested in connection with Jogighopa P.S. Case No. 174/2024, shall be released on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the learned SDJM, North Salmara, Abhayapuri.

The bail application is disposed of.

JUDGE

Comparing Assistant