

GAHC010232992024



2024:GAU-AS:12463

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

Case No. : AB/2958/2024

KASHEM ALI
S/O LATE IDHU SHEIKH
R/O SATIPUR, P.S. KAJALGAON
DIST. BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:MUSTT MALLIKA SULTANA
D/O MAMUD ALI
R/O VILL- 2 NO. GARUGAON
P.S. BONGAIGAON

DIST. BONGAIGAON
ASSA

Advocate for the Petitioner : MR. B CHOWDHURY, JAFAR ALI, MR. M. ALOM, MR. S R ISLAM

Advocate for the Respondent : PP, ASSAM, MR. D GOGOI, Amicus Curiae (R-2)

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

10/12/2024

Heard Mr. B Chowdhury, learned counsel for the petitioner and Mr. K K Parashar, learned Additional Public Prosecutor, Assam for the State Opposite party No. 1. Also heard Mr. D Gogoi, learned Amicus Curiae for the Opposite party No. 2.

2. The petitioner, namely, **Kashem Ali**, has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking pre-arrest bail apprehending his arrest in **Bongaigaon P.S. Case No. 263/2024** registered under Section 354(A) IPC read with Section 10 of POCSO Act corresponding to G.R. No. 447/2024.

3. During the deliberation of the matter, Mr. Parashar, learned Additional Public Prosecutor, Assam, on instruction submitted that police after completion of investigation of the case has already submitted charge-sheet in said Bongaigaon P.S. Case No. 263/2024 vide Charge-Sheet No. 261/2024 dated 04.12.2024.

4. In view of the above, the petitioner may approach the appropriate forum for his regular bail in said Bongaigaon P.S. Case No. 263/2024.

5. With the above observation and direction, this pre-arrest bail application stands disposed of.

JUDGE

Comparing Assistant