

GAHC010234082024



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

Case No. : AB/2950/2024

MD SAFIR UDDIN
S/O LATE NUR ISLAM, R/O VILLAGE PUB RAHMANPUR, PS. DHEKIAJULI,
DISTRICT SONITPUR, ASSAM, PIN 784112

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR B SINHA, M SHARMA,MR. H ISLAM,MR. S UPADHAY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.12.2024

Heard Mr. B. Sinha, learned counsel appearing for the petitioner. Also heard Ms. N. Das, learned Additional Public Prosecutor for the state of Assam.

2. This an application 482 of the BNSS, 2023, whereby the petitioner has prayed for grant of pre-arrest bail in respect of Dhekiajuli P.S. Case No. 180/2024.
3. One girl student, who was studying in the Higher Secondary 2nd year had consumed

poison on 18.09.2024 and on 19.09.2024 she died. The elder brother of the girl has alleged that his sister was in love with the present petitioner for a period of three years. The informant has stated that on 18.09.2024, the petitioner had made several phone calls to her. Therefore, the informant has suspected that the petitioner might have compelled her to commit suicide.

4. The case diary reveals that the parents of the girl did not approve her marriage with the present petitioner, rather, they wanted to give her marriage with someone else.

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

6. This Court is of the opinion that under the given circumstances of the case, the petitioner does not deserve to be detained in custody. Accordingly, his anticipatory bail application is allowed.

7. It is hereby directed that in the event of arrest in connection with Dhekiajuli P.S. Case No. 180/2024, the petitioner, Md. Safir Uddin, shall be released on bail of Rs. 20,000/- each with a surety of like amount to the satisfaction of the arresting authority.

8. The petitioner shall co-operate with the Investigating Officer as and when required.

9. With the aforesaid direction, the bail application stands disposed of.

10. CD shall be returned.

JUDGE

Comparing Assistant