

GAHC010235492024



2024:GAU-AS:13044

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

Case No. : AB/2977/2024

GULZAR ALI
S/O LATE HAMUDDI SHEIKH
R/O KAMALARJHAR (MOTERJHAR)
P.S. GOLAKGANJ
DIST. DHUBRI, ASSAM

VERSUS

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

2:AZAD ALI
S/O NAUSHAD ALI
R/O KAMLARJHAR (MOTERJHAR)
P.S. GOLAKGANJ
DIST. DHUBRI
ASSA

Advocate for the Petitioner : MR S RAHMAN, MS L MISHRA, MR S KHOUND, MS. S
PHUKAN

Advocate for the Respondent : PP, ASSAM, Ms. R. R. BORAH (r-2)

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

19.12.2024

Heard learned counsel, Mr S Rahman, for the petitioner, Gulzar Ali, who has filed

this application under Section 482 of the BNSS, 2023, with prayer for pre-arrest bail, as he is apprehending arrest in connection with Special Case No. 170/2023, arising out of Golakganj PS Case No. 282/2023, registered under Sections 354(A) IPC, read with Section 8 of the POCSO Act, pending before the Court of learned Additional Sessions Judge –cum- Special Judge(POCSO), Dhubri,

2. Heard Mr K K Das, learned Additional Public Prosecutor, Assam for the respondent State and Ms R R Bora, learned counsel for the respondent No. 2.

3. It is submitted that charge sheet has been submitted against the petitioner under Section 354-A of the Indian Penal Code, 1860, read with Section 8 of the POCSO Act. The petitioner is apprehending arrest as he has been shown absconder in the charge sheet.

4. As the petitioner is willing to cooperate with the investigation, the petitioner is directed to appear before the learned trial Court and apply for bail, which may be considered by the learned trial Court, in accordance with law.

5. Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant