

GAHC010237792024



2024:GAU-AS:11874

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

Case No. : Bail Appln./3452/2024

GOBINDA RAJKHOWA
S/O SRI JITEN RAJKHOWA
R/O 1 NO. PUKHURIA
P.S. LALUK
DIST. LAKHIMPUR, ASSAM
STATE- ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR D MEDHI, JAGANATH SUWAI, MR K THAKUR, MR. S SARKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 29.11.2024

Heard Mr. D. Medhi, learned counsel for the petitioner, Gobinda Rajkhowa, who has filed this application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 04.11.2024 in

connection with **Titabar P.S. Case No.94/2024** under Sections 308(4)/308(7)/351(3)/74/75/76/77/78/79 of BNS.

2. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

3. The FIR unfolds that the petitioner got acquainted with the victim girl through face-book. Both the petitioner and the victim used to exchange calls and thereafter the petitioner recorded videos and pictures of the victim, and thereafter he threatened to upload the pictures and the videos through social media and internet. The petitioner even threatened the victim that he would commit suicide.

4. I have considered the submissions at the bar. I have also scrutinized the Case Diary. I have considered the submission that the petitioner will abide by any stringent bail conditions imposed upon him.

5. Considering all aspects and in view of my foregoing discussions, petition is allowed. The petitioner is enlarged on bail of Rs. 50,000/- (Rupees fifty thousand) only, with one suitable surety of the like amount to the satisfaction of the learned Eleka Magistrate/Jurisdictional Court, under the conditions that:-

i) the petitioner shall appear before the Investigating Officer on every fortnight, till completion of investigation,

ii) the petitioner shall not exercise threats to the witnesses and try to influence the witnesses, and

iii) the petitioner shall not leave the jurisdiction of the Court without prior permission.

6. On breach of any of the bail conditions, the Jurisdictional Court is at liberty

to immediately cancel the bail granted to the petitioner.

7. Bail Application stands disposed of.
8. Send back the Case Diary.

JUDGE

Comparing Assistant