

GAHC010241632023



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

Case No. : AB/3793/2023

JEWEL ALI@ JUWAL ALI
SON OF AJGAR ALI, R/O- VILLAGE- BONGAON, P.S. RANGIA, DISTRICT-
KAMRUP (ASSAM)

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR

2:MD. TAYEJ ALI
SON OF LATE SAFAT ALI
R/O- VILLAGE- BONGAON
PS- RANGIA
DISTRICT- KAMRUP (ASSAM)

Advocate for the Petitioner : MS G DEKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 29.05.2024

Heard Ms.G.Deka, learned counsel for the petitioner. Also heard Mr. D.P.Goswami, learned Addl. Public Prosecutor for the State/respondent No.1.

By this petition filed under Section 438 Cr.P.C., the petitioner, namely, **Jewel Ali @**

Juwal Ali has prayed for granting pre-arrest bail, apprehending arrest in connection with **Special (POCSO) Case No. 32/2023 (Rangia P.S. Case No.325/2022)** under Section 376 (3) of the IPC r/w Section 6 of POCSO Act pending before the learned Special Judge, Kamrup at Rangia.

It is submitted by learned counsel for the petitioner that petitioner did not have any knowledge regarding institution of this case and as such, he could not appear before the I.O. during investigation. The learned trial court thereafter issued summon to the petitioner and on receipt of the same, he came to know about the institution of this case. As the case is under POCSO Act, the petitioner is apprehending arrest though summons were issued to him.

The learned Addl.P.P. submits that charge sheet has been submitted against the petitioner showing him as absconder and as such, he may appear before the trial court and seek regular bail.

Ms. S.Chutia, learned counsel for the respondent No. 2 has submitted that petitioner may appear before the learned trial court.

In view of above, the anticipatory bail application is disposed of with a direction to the petitioner to surrender before the learned trial court within 10(ten) days from today and in the event of filing any bail application, the same shall be considered by the learned trial court in accordance with law.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant