

GAHC010242472024



2024:GAU-AS:11880

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

Case No. : Bail Appln./3570/2024

SRI ANGSUMAN DEKA
S/O SRI SIDDHARTHA DEKA, R/O VIVEKANANDA PATH, HOUSE NO.14,
BIRUBARI UDAYPUR, PS. PALTANBAZAR, DISTRICT KAMRUP METRO,
ASSAM, PIN 781016

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR H BARUAH, MR P P PHUKAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 29-11-2024

Heard Mr. H. Baruah, learned counsel for the petitioner Sri Angsuman Deka, who has filed this application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 23.10.2024 in connection with Paltanbazar Police Station Case No. 370/2024 under Section 87 of Bharatiya Nyaya Sanhita, 2023.

2. Heard B. Sarma, learned Additional Public Prosecutor, Assam for the respondent State.
3. The allegation against the petitioner is that he kidnapped a minor victim X, who was only 17 (Seventeen) years old at the time when the incident took place. As the victim went missing, her father lodged an FIR and they made a frantic search for the victim.
4. It is submitted on behalf of the petitioner that the victim is at the verge of attaining majority as the victim is 17 years old. It is submitted that both the petitioner and the victim had love relationship and the victim went with him on her own volition.
5. I have considered the submissions at the bar with circumspection. I have also scrutinized the Case Diary. It appears that bail may be granted to the petitioner.
6. Considering all aspects, petition is allowed.
7. Petitioner is enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) with a suitable surety of like amount to the satisfaction of the jurisdictional Court/Elaka Magistrate.
8. In terms of the above observation, this Bail Application stands disposed of.
9. Send back the Case Diary.

JUDGE

Comparing Assistant