

GAHC010255472024



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

Case No. : Bail Appln./3654/2024

RANDIP DAS
S/O DHIREN DAS
R/O VILL- DEKA SENSUA
P.S. KAMALBARI
DIST. MAJULI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. U J SAIKIA,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

02.12.2024

Heard Mr. U J Saikia, learned counsel for the petitioner and Mr. K Baishya, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 by the petitioner, namely, Sri Randip Das, praying for release on bail, who was arrested in connection with Silapathar P.S. Case No. 224/2024.

The petitioner is a 42 years old teacher at Silapathar. He stayed alone while his wife and children were staying at Majuli. His wife is also working as teacher at Majuli. The informant woman is a married one having children. She stayed adjacent to the house of the present petitioner. They had developed some sort of relationship.

Thereafter, the informant lodged an FIR against the petitioner stating that the petitioner had made false promise to marry her by putting vermilion on her forehead.

Further, she alleged that after that incident she was having physical relationship with him for which she became pregnant on two occasions. The pregnancy was terminated medically on each of the occasions.

The informant says that the petitioner had started to avoid her and on seeing her, he used to run away.

I have considered the submission made by the learned counsel of both sides.

The prosecution story itself shows that in such circumstances a person need not be arrested and be detained in custody. Hence, the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner Sri Randip Das, who was arrested in connection with Silapathar P.S. Case No. 224/2024, shall be released on bail of Rs.10,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Dhemaji.

The bail application is disposed of.

JUDGE

Comparing Assistant