

GAHC010264702024



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

Case No. : AB/3287/2024

ASRAFUL ISLAM @ ASRAFUL ALI
S/O KADER ALI
R/O VILL- BHITOR CHENG MARI, P.S. AND DIST. BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M KHAN, MS J AKTAR, MR A K DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 16.12.2024

Heard Mr. M Khan, learned counsel appearing for the petitioner and Mr. D.P. Goswami, learned Additional Public Prosecutor for the state of Assam.

2. This is an application u/s 482 of the BNSS, 2023 praying for grant of pre-arrest bail in respect of Bongaigaon P.S. Case No. 353/2024 u/s 108 of the BNS, 2023.
3. The deceased girl was maintaining relationship with the petitioner for a long time.

They had physical relationship also. Thereafter, the girl came to know that the petitioner was having relationship with another girl. Therefore, the deceased decided to end her life. She hanged herself inside her house.

4. It has been submitted on behalf of the petitioner that it was a one sided affair and the petitioner was never interested in the girl. The learned counsel for the petitioner submits that the petitioner never had physical relationship with the girl.

5. According to the petitioner, the girl always put pressure upon him to marry her and therefore, the petitioner misbehaved with her.

6. I have considered the submissions made by the learned counsels of both sides.

7. This is Court is of the opinion that for the allegations brought against the present petitioner he does not deserve to be detained in custody. His pre-arrest bail application is allowed.

8. It is hereby directed that in the event of arrest in connection with Bongaigaon P.S. Case No. 353/2024 the petitioner, Asraful Islam @ Asraful Ali shall he shall be released on bail of 20,000/- with a surety of like amount to the satisfaction of the arresting authority.

9. The petitioner shall co-operate with the Investigating Officer as and when called for.

10. The bail application stands disposed of.

JUDGE

Comparing Assistant