

GAHC010267162024



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

Case No. : Bail Appln./3873/2024

MUBARAK ALI
S/O MAJIRUDDIN AHMED
R/O KRISHNAI OLANDUBI
P.S. KRISHNAI
DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R DE, MS. D PATHAK

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

18.12.2024

Heard Mr. R. De, the learned counsel appearing for the petitioner. Also heard Mr.

D.P. Goswami, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 whereby the petitioner Mubarak Ali has prayed for releasing him on bail after he was arrested in connection with Boko P.S. Case No.512/2024 under Sections 69/77/351(2) of the BNS, 2023.

3. A 22 year old girl was having relationship with the present petitioner for a long time. She, now, says that on promises of marriage, the petitioner had physical relationship with her. It is also stated that the petitioner had taken some intimate photographs. Now, the petitioner refuses to marry her.

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

5. The petitioner has already completed 32 days in judicial custody.

6. This Court is of the opinion that under the facts and circumstance of the case, the petitioner no longer deserves to be detained in custody. Therefore, the bail application of the petitioner is allowed.

7. The petitioner, namely- Mubarak Ali who was arrested in connection with Boko P.S. Case No.512/2024 under Sections 69/77/351(2) of the BNS, 2023, shall be released on bail of ₹20,000/- with a surety of like amount to the satisfaction of the learned Judicial Magistrate First Class, Boko, Kamrup.

With the above direction, the bail application is disposed of.

JUDGE

Comparing Assistant