

GAHC010267222024



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

Case No. : AB/3304/2024

SALAM ALI SK @ SALAM RAJ SK
S/O LATE ASMAT ALI SK.
R/O HEKAIPARA
PO. CHANDRAPARA
P.S. KOKRAJHAR,
DIST. KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY, MR. I U CHOWDHURY

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

17.12.2024

Heard the learned counsel Mr. HRA Choudhruy, learned senior counsel assisted by Ms. R. Deka appearing for the petitioner. Also heard Mr. R.R. Kaushik, the learned

Addl. Public Prosecutor, Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for pre-arrest bail in respect of Kokrajhar P.S. Case No.228/2024, registered under Sections 69/ 64/ 115(2)/ 318(4)/ 351(2)/3(5) of BNS, 2023.

3. A 31 year old lady was having a relationship with the present petitioner. They even had physical relationship, which she says it was done on promise of marriage. Thereafter, the petitioner took an amount of ₹2,000,00/- from her. One day, she went to his house to ask for the money. On that day, the petitioner allegedly drove her out of his house. On a subsequent date, he called her to a hotel for paying the money and on reaching the hotel, the petitioner allegedly refused to pay her money and also refused to marry her. She alleged that she was beaten up by the petitioner in that hotel.

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

5. If the informant wants her money, she has other forums to seek justice. For the present allegation, the petitioner does not deserve to be detained in custody. Accordingly, his pre-arrest bail application is allowed.

6. It is hereby directed that in the event of arrest in connection with Kokrajhar P.S. Case No.228/2024, registered under Sections 69/ 64/ 115(2)/ 318(4)/ 351(2)/3(5) of BNS, 2023, the petitioner, namely- Salam Ali Sk @ Salam Raj Sk, he shall be released on bail of ₹20,000/- with a surety of like amount to the satisfaction of arresting authority.

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

JUDGE

Comparing Assistant