

GAHC010268662024



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

Case No. : Bail Appln./3840/2024

BIPIN CHANDRA PRADHANI
S/O LT. RAJKUMAR PRODhani
R/O BISKHOWA PT. -V (LAWKHUWA)
P.S. GOLAGANJ,
DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. D P CHALIHA, MS M ROY,MR. U P CHALIHA

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

16.12.2024

Heard Mr. D.P. Chaliha, the learned senior counsel assisted by Ms. M. Roy, the

learned counsel appearing for the petitioner. Also heard Mr. R.R. Kaushik, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 whereby the petitioner Bipin Ch. Prodhani has prayed for releasing him on bail after he was arrested in connection with Golakganj P.S. Case No.243/2024 under Section 329 (4), 64(2), 351(2) of the BNS, 2023.

3. In the FIR it is alleged that a 28 year old physically handicapped girl was not having her regular periods and therefore, she was taken to the Hospital where it was found that she was pregnant for three months. The girl, this time, told her parents that the present petitioner had committed forcible intercourse with her.

4. The father of the girl who is the informant in this case had filed an affidavit stating that the allegation which he made in the FIR was incorrect because doctors told him that for some other reasons also a girl might not have regular periods.

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

6. Under the given circumstances, this Court is of the opinion that the petitioner no longer deserves to be detained in custody. Therefore, the bail application of the petitioner is allowed.

7. The petitioner, namely- Bipin Ch. Prodhani who was arrested in connection with Golakganj P.S. Case No.243/2024 under Section 329 (4), 64(2), 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 Chief Judicial Magistrate, Dhubri, Assam.

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

JUDGE

Comparing Assistant