

GAHC010273352024



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

Case No. : AB/3360/2024

RITUPON PEGU
S/O LATE NIKUNJA PEGU
RESIDENT OF VILLAGE KATHALGURI, PO KEKURI POMUA MIRI, PS
DHAKUAKHANA, DIST LAKHIMPUR, ASSAM 787055

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for the Petitioner : MR. A BARUAH,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 19.12.2024

- 1.** Heard Mr. A. Baruah, learned counsel for the petitioner. Also heard Mr. R. R. Kaushik, learned Additional Public prosecutor for the State of Assam.
- 2.** This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for pre-arrest bail in respect of Dhakuakhana Police Station Case No.100/2024.
- 3.** The informant has alleged in the FIR that on 26.11.2024 his 22 years old daughter was kidnapped by the present petitioner, she was in fact taken away in a

Motor-cycle. The informant has further alleged that after taking the girl in a particular place, he committed physical relationship with her and the informant father has further alleged that the petitioner wanted to kill his daughter and she was rescued by some villagers.

4. According to the informant, on 27.11.2024, he had lodged an Ejahar before Police and the present petitioner promised to marry his daughter before the Police. On the next date he allegedly refused to marry her.

5. It may be mentioned that on 27.11.2024, the father of the girl wrote a letter to the Police whereby he stated that the matter has been settled between the parties and prays for withdrawal of the case.

6. I have considered the submissions made by learned counsel for both the sides.

7. This Court is of the opinion that under the given circumstances of the case, the petitioner does not deserve to be detained in custody.

8. Therefore, the pre-arrest bail prayer made by the present petitioner is allowed.

9. It is hereby directed that in the event of arrest in connection with Dhakuakhana Police Station Case No.100/2024, the petitioner Ritupon Pegu shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the arresting authority.

10. The petitioner shall appear before the Police Investigating Officer within next 10 days from today.

11. The petitioner shall co-operate with Police Investigation as and when required.

12. Case Diary shall be returned.

13. The bail application stands disposed of.

JUDGE

Comparing Assistant