

GAHC010295272023



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

Case No. : AB/12/2024

SAIFUL PARAMANIK AND 4 ORS
S/O BAKKAR PARAMANIK
R/O VILL- TERARPARA, P.S. MANKACHAR, DIST. SOUTH SALMARA
MANKACHAR, ASSAM

2: BAKKAR PARAMANIK
S/O SORHAB PARAMANIK
R/O VILL- TERARPARA
P.S. MANKACHAR
DIST. SOUTH SALMARA MANKACHAR
ASSAM

3: SAHIDA KHATUN
W/O BAKKAR PARAMANIK
R/O VILL- TERARPARA
P.S. MANKACHAR
DIST. SOUTH SALMARA MANKACHAR
ASSAM

4: HABIBULLAH PARAMANIK
S/O BAKKAR PARAMANIK
R/O VILL- TERARPARA
P.S. MANKACHAR
DIST. SOUTH SALMARA MANKACHAR
ASSAM

5: HASEM PARAMANIK
S/O SORHAB PARAMANIK
R/O VILL- TERARPARA
P.S. MANKACHAR
DIST. SOUTH SALMARA MANKACHAR
ASSA

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. T AHMED

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

19.01.2024

This is an application under Section 438 of the CrPC in respect of Mankachar Police Station Case No.155/2022, registered under Sections 304B/34 of the Indian Penal Code (corresponding to G.R. Case No.403/2022).

I have heard the learned counsel Mr. T. Ahmed appearing for the petitioners. Also heard Mr. K.K. Parasar, the learned Addl. Public Prosecutor representing the State of Assam.

One Sonabuddin has alleged in the FIR dated 22.05.2022 that his sister Sona Khatun was married to Saiful Paramanik. He alleges that said Saiful Paramanik and his family members harassed her physically and mentally and ultimately, they killed her on 18.05.2022.

The case diary reveals that after her marriage with Saiful Paramanik, late Sona Khatun had developed relationship with another person,

named Habibullah. But Habibullah refused to marry her and therefore she committed suicide by hanging herself. Even the medical report shows that her death was due to hanging.

Now, this Court is of the opinion that the present petitioners do not deserve to be detained in custody under the given facts and circumstances of the case.

Accordingly, it is hereby directed that in the event of arrest in connection with Mankachar Police Station Case No.155/2022, registered under Sections 304B/34 of the Indian Penal Code (corresponding to G.R. Case No.403/2022), the petitioners- (1) Saiful Paramanik, (2) Bakkar Paramanik, (3) Sahida Khatun, (4) Habibullah Paramanik and (5) Hasem Paramanik shall be released on bail of ₹25,000/- each with a surety each of like amount to the satisfaction of the arresting authority.

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

Case diary shall be returned.

JUDGE

Comparing Assistant