GAHC010191042020

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

Case No. : Bail Appln./3013/2020

AMIT GHOSH
S/O GOPIKA GHOSH, R/O VILL-FHAKUA, P.S.-RAMKRISHNA NAGAR, DIST-KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA
ORDER

22.12.2020.

Heard Mr. H. R. A. Choudhury, the learned Senior Counsel assisted by Mr. R. A. Choudhury, the learned counsel for the petitioner. Also present Mr. B. B. Gogoi, the learned Additional PP, Assam.

By this application under Section 439 of the Cr.P.C. the accused-petitioner namely Amit

Ghosh, is seeking bail in connection with Patharkandi P. S. Case No. 564/2020 under Sections 341/294/366/511 of the IPC read with Section 8 of POCSO Act, 2012.

The petitioner was arrested on 19.10.2020. I have perused the contents in the FIR lodged by the informant who is the mother of the victim girl. The victim girl is aged about 17 years as apparent from the FIR.

In view of the contents in the FIR and the forwarding report, I am of the considered opinion that no further detention nor custodial interrogation of the present petitioner is necessary inasmuch as the petitioner was arrested on 19.10.2020. Accordingly, I am inclined to grant bail to the petitioner-accused.

Accordingly, the accused-petitioner, named above, shall be released on bail in connection with the Patharkandi P. S. Case No. 564/2020 under Sections 341/294/366/511 of the IPC read with Section 8 of POCSO Act, 2012 on furnishing bail bond of Rs.10,000/- with one suitable surety of the like amount to the satisfaction of the learned Special Judge, POCSO, Kamrimganj on the following condition:-

(1) The accused-petitioner shall not be leave the territorial jurisdiction of the learned Special Judge, POCSO, Kamrimganj without prior permission from the said learned court,

(2) The accused-petitioner shall not hamper with the investigation, or tamper with the evidence of the case,

(3) The accused-petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any Police Officer.

(4) The petitioner shall continue to appear before the Investigating Officer of the above mentioned case after every 10(ten) days from the date of first appearance till such time the attendance is dispensed with by the said investigating officer.

Accordingly, this bail application stands disposed of.

JUDGE

Comparing Assistant