

AB 3144/2012

BEFORE

HON'BLE MR. JUSTICE C.R. SARMA

Heard Mr. B.C. Das, learned senior Counsel, assisted by Mr. J.H. Saikia, learned Counsel, appearing for the petitioner. Also heard Mr. B.S. Sinha, learned Additional Public Prosecutor, Assam.

Perused the case diary.

By this application, filed under Section 438 Cr.P.C., the petitioner, namely, Dr. Abdul Malik, has prayed for pre-arrest bail, in connection with Dobaka P.S. Case No.88/2012, U/S 498(A) I.P.C.

The learned senior Counsel, appearing for the petitioner, has submitted that the petitioner divorced the informant on 24.06.2012 by pronouncing three 'talaks', in presence of witnesses and thereafter, the informant lodged an FIR on 28.06.2012, alleging that her husband, i.e. the petitioner left her in a rented house, after torturing her on 27.06.2012.

In view of the above, considering the entire aspect of the matter, I find no sufficient reason for custodial interrogation or detention of the petitioner. Accordingly, the interim order dated 01.08.2012 is made absolute, subject to condition that the petitioner shall appear before the I/O, as and when required, for the purpose of investigation.

Return the case diary.

Bail application is disposed of.