

AB 325/2015

BEFORE

HON'BLE MR. JUSTICE C.R. SARMA

Heard Mr. I.A. Hazarika, learned counsel for the petitioner and Ms. B. Saikia, learned Addl. Public Prosecutor, Assam, appearing for the State respondent.

Perused the case dairy.

By this application, filed under Section 438 Cr.P.C., the petitioner, namely Sha fiur Rahman has prayed for pre- arrest bail in connection with Kalgachia P.S. Case No. 1165/ 2014 under Sections 376 (2)(i) IPC read with Section 4 of the POCSO Act, 2012 (G.R. Case No. 7490/2014).

The allegations made against the petitioner are that the petitioner committed rape on the minor daughter of the informant.

Considering the evidence so far collected by the I.O. as well the statement recorded under Section 164 Cr.P.C., I do not find it to be a fit case to extend the benefit of pre-arrest bail in favour of the petitioner. Hence, the prayer for pre-arrest bail is rejected.

Return the case dairy.

The bail application is dismissed.