

GAHC010231162019



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

AB 3197/2019

1:NUR ALOM SK.
S/O LT. MESER ALI
R/O BOAL KAMURI PART- II
P.S. BILASIPARA
DIST. DHUBRI
(ASSAM)

VERSUS

1:THE STATE OF ASSAM
REP. BY THE PP
ASSM

Advocate for the Petitioner : MR. A AHMED
Advocate for the Respondent : PP
ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 30-09-2019

This is an application, filed under Section 438 Cr.PC, praying for pre-arrest bail of the petitioner, namely, Nur Alom Sk, in connection with Bilasipara PS Case No. 893/2019 under Sections 120(B)/376/325/313/506/34 IPC.

Heard Mr. H.R.A. Choudhury, learned senior counsel for the petitioner. Also heard objection raised by Ms. S. Dasgupta, on behalf of the informant, through the Additional Public

Prosecutor for the state respondent.

Case diary produced has been perused including the statement of the victim, recorded under Section 164 Cr.PC.

The victim, in the instant case, is found to have been carrying 2 (two) months pregnancy.

The victim's statement shows that the petitioner committed rape on her person by promising to marry her but he did not marry her. But, the fact remains that the victim has been carrying pregnancy through him.

Considering such evidence, so far collected, this court is not inclined to grant the privilege of pre-arrest bail to the petitioner, and accordingly, his prayer is rejected.

The petition stands disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant