

GAHC010293382019



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

Case No. : AB 4270/2019

1:ABDULLAH MASUM KHAN @ ABDULLAH MASUM
S/O NURUL HUDA KHAN, R/O ISAMATI, P.S.-PATHARKANDI, DIST-
KARIMGANJ (ASSAM)

VERSUS

1: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
HONOURABLE MRS. JUSTICE RUMI KUMARI PHUKAN

ORDER

Date : 29-11-2019

By this application under Section 438 CrPC, petitioner, namely, Abdullah Masum Khan @ Abdullah Masum, has sought for pre-arrest bail in the event of his arrest in connection with Patharkandi PS Case No. 496/2019, under Sections 366/511 IPC.

Heard the learned counsel for both the sides.

As per the FIR itself, the informant has submitted that the present accused petitioner made love proposal to her since earlier and lastly, on 28.09.2019, the accused made a fragile attempt to take her forcibly in a vehicle as her marriage was fixed with another person, but when she made hue and cry, the accused fled away.

Both the accused and informant are major and there was a love affair. Petitioner intended to marry the informant, to which, she was not agreeable perhaps. In the facts and circumstances of the case, it appears that custodial interrogation of the accused petitioner is not required.

Accordingly, the accused petitioner aforesaid is granted pre-arrest bail. In the event of his arrest in connection with the aforesaid case he shall be released on bail on furnishing bail bond of Rs. 10,000/-, with one surety of the like amount to the satisfaction of the arresting authority with further direction to the petitioner to appear before the IO within a period of 15 days from today and he shall cooperate with the investigation of the case.

Return the Case Diary.

Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant