

GAHC010268852022



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

Case No. : AB/3827/2022

MOJIRUL ISLAM
S/O LAL MIYA
R/O VILL- DAWAGURI
P.O. BAGARGAON
P.S. BIJNI
DIST. CHIRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. J ABBAS
Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.12.2022

Heard the learned counsel Mr. J. Abbas appearing for the petitioner as well as Mr. D. Das, the learned Addl. Public Prosecutor appearing for

the State of Assam.

This is an application under Section 438 of the CrPC in respect of Manikpur P.S. Case No.615/2021, registered under Section 363/34 of the IPC read with Section 4 of the POCSO Act.

In this case, police has filed the *charge sheet* on 29.06.2022 showing the petitioner as absconder.

It has been submitted that the charge brought against the petitioner Mojirul Islam is under Section 366 of the IPC only.

Considering the aforesaid fact, the petitioner is directed to approach the learned trial court seeking regular bail. On his appearance before the trial court, the petitioner Mojirul Islam shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned trial court.

With the above direction, the application for bail stands disposed of.

JUDGE

Comparing Assistant