

GAHC010202722025



undefined

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

Case No. : AB/2204/2025

ABDUL KADER
S/O- LATE MUSTAN ALI @ MAST ALI.
R/O- NO.2 BHULKATA, P.S.- BISWANATH CHARIALI.
DIST.- BISWANATH CHARIALI.ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:JOHUR UDDIN.
S/O- LATE MUSLIM UDDIN.
R/O- NO.3 ISLAMPUR
P.S.- LALUK
DIST.- LAKHIMPUR
ASSAM
PIN - 78416

Advocate for the Petitioner : MR H R A CHOUDHURY, MR. I A HAZARIKA,MR. I U CHOWDHURY,MRS H AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 15.10.2025

1. Heard Mr. I. A. Hazarika, learned counsel for the petitioner. Also heard

Mr. D.P. Goswami, learned Additional Public Prosecutor for the State.

2. The case diary is called for has not yet been received.

3. The service report upon the respondent/informant No.2 is also awaited.

4. The learned Additional P.P shall take instruction regarding the service upon the respondent No.2.

5. Issue reminder for the case diary.

6. In this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner, namely, **Abdul Kader**, has prayed for granting pre-arrest bail, apprehending arrest in connection with **Laluk P.S. Case No. 209/2024** under Section 87 of BNS added Section 4(2) of POCSO Act, 2012.

7. The allegation lodged by informant who is the father-in-law of the case is that his minor daughter 14 years 7 months was enticed and allured by the accused calling over phone and took her from the house and that he has not brought back the girl in spite of being told to do so.

8. It is submitted by the learned counsel for the petitioner, that the case arose within the family due some misunderstanding and the girl has also been recovered. In the meantime, it remains to be seen whether from the bear allegations in the FIR, ingredients of POCSO are made out.

9. Accordingly, it is directed that the event of arrest of the petitioner, named above, in connection with **Laluk P.S. Case No. 209/2024** under Section 87 of BNS added Section 4(2) of POCSO Act, 2012, he shall be released on interim pre-arrest bail furnishing bail bond of **Rs.25,000/-** with **a suitable surety** of the like amount, to the satisfaction of the arresting authority.

10. The direction for pre-arrest bail is subject to the conditions that the petitioner:

(a) He shall render cooperation with the remaining investigation and appear before the I.O. for recording his statement; and

(b) He shall not cause any harass to the victim girl of the informant.

11. List it on 12.11.2025

JUDGE

Comparing Assistant