

GAHC010025892024



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

Case No. : AB/310/2024

MOJIBUR RAHMAN @ MAJIBUR RAHMAN
S/O KUDDUS ALI
VILL- GERUAMUKH
P.S. KHATOWAL
DIST. NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MS S S ZIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

22.03.2024

Heard Mrs. S.S. Zia, learned counsel appearing for the Petitioner. I have also heard Mr. B.Sarma, learned Additional P.P. for the State of Assam.

This is an application under Section 438 of the Cr.P.C. in respect of P.R.C. Case No. 29/2024 arising out of Khatowal P.S. Case No. 52/2023 under Sections

506/353/379 of the Indian Penal Code pending in the Court of the learned Chief Judicial Magistrate, Nagaon.

The petitioner Mojibur Rahman @ Majibur Rahman has been shown as absconder in the charge sheet that was filed under Sections 506/353/379 IPC. The petitioner apprehends that if he appears before the trial court, he shall be remanded to custody.

I have also heard the learned counsel for both sides.

Since the petitioner wants to face the trial, he should not be remanded to custody. Therefore, it is hereby directed that on his appearance before the trial court, the petitioner namely Mojibur Rahman @ Majibur Rahman shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the arresting authority.

The bail application stands disposed off accordingly.

JUDGE

Comparing Assistant