

GAHC010030712024



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

Case No. : AB/369/2024

GENEL MILI @ BINOD MILI
R/O VILL- RUPAHI MISSING GAON
P.O. BOGINADI
P.S. BOGINADI,
DIST.LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. D GOGOI

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

16.02.2024

Heard the learned counsel Mr. G. Chamuah appearing for the petitioner. Also heard Mr. D. Das, the learned Addl. Public Prosecutor,

Assam.

2. This is an application under Section 438 of the CrPC.
3. The petitioner is shown as absconder in the *charge sheet*, which is registered as PRC No.330/2023 pending in the court of learned Chief Judicial Magistrate, Lakhimpur, North Lakhimpur. The said *charge sheet* pertains to sessions triable offence.
4. Therefore, the petitioner apprehends that if he appears before the court of learned Chief Judicial Magistrate, Lakhimpur, North Lakhimpur, he will be remanded to custody because the said court does not have the jurisdiction to entertain his bail prayer.
5. I have considered the submissions made by the learned counsels of both sides.
6. This Court is of the opinion that at this stage, the petitioner does not deserve to be detained in custody.
7. Therefore, it is hereby directed that on appearance of the petitioner Genel Mili @ Binod Mili before the court of learned Chief Judicial Magistrate, Lakhimpur, North Lakhimpur in connection with PRC No.330/2023, he shall be allowed to go on bail of ₹25,000/- with surety of like amount to the satisfaction of the said court.

With the aforesaid direction, the present application stands disposed.

JUDGE

Comparing Assistant