

GAHC010042952024



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

Case No. : I.A.(CrI.)/218/2024

ALEKJAN NESSA

W/O- AMINUL HOQUE @ AMINUL ISLAM, D/O- HAZRAT ALI, VILL-
UZIRARCHAR, P.S. ALOPATI CHAR, DIST.- BARPETA, PIN- 783101

VERSUS

THE STATE OF ASSAM,
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. M A SHEIKH

Advocate for the Respondent : PP, ASSAM

Linked Case : AB/2226/2023

ALEKJAN NESSA AND 2 ORS
W/O- AMINUL HOQUE @ AMINUL ISLAM
D/O- HAZRAT ALI
VILL- UZIRARCHAR
P.S. ALOPATI CHAR
DIST.- BARPETA
PIN- 783101

2: HAZRAT ALI
S/O- LATE CHANDU SK
VILL- UZIRARCHAR

P.S. ALOPATI CHAR
DIST.- BARPETA
PIN- 783101

3: JAHANUR ISLAM
(MINOR) S/O- HAZRAT ALI
REP. BY HIS FATHER HAZRAT ALI
AGE 52 YEARS
VILL- UZIRARCHAR
P.S. ALOPATI CHAR
DIST.- BARPETA
PIN- 783101
VERSUS

THE STATE OF ASSAM
REP. BY P.P.
ASSAM

Advocate for : MR. A ROSHID
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 20-03-2024

Heard Mr. M.A. Sheikh, learned counsel for the applicant-appellant and Mr. B. Sharma, learned Additional Public Prosecutor for the State.

This is an application made under Section 482 Cr.P.C., praying for extension of time for appearance of the petitioner before the trial court as per the order dated 31.07.2023 passed by this Court whereby the petitioner was directed to appear before the learned trial court within a period of 15 days from the date of order i.e. 31.07.2023.

It is submitted by the learned counsel for the petitioner that though the

petitioner was directed to appear before the learned trial court on or before 15.08.2023, during that period, the petitioner was in advance stage of pregnancy and after that she gave birth to a child on 16.08.2023. As such, due to care for her child, she was not in a position to attend the court as per the direction of this court and has prayed for extension of time for appearance.

Considering the fact that the petitioner was in her advance stage of pregnancy at the time of her appearance before the trial court, the prayer made by the petitioner is allowed by extending the time for her appearance. She is directed to appear before the learned trial court within 10 days from today and if a bail application is filed, the same will be considered by the learned trial court in accordance with law.

The I.A. is disposed of.

JUDGE

Comparing Assistant