

GAHC010048982024



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

Case No. : AB/607/2024

CHIDAM BISWAS
S/O LATE AMULYA BISWAS, R/O VILL- BARDUBA TUP, P.O.- P.S.-
BHURAGAON, DIST- MORIGAON, ASSAM, PIN-782121

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S D ROY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

19.03.2024

Heard Mr. S D Roy, learned counsel for the petitioner as well as Ms. A Begum, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 438 CrPC seeking anticipatory bail by the petitioner Chidam Biswas in connection with Bhuragaon P.S. Case No. 181/2021 corresponding to PRC Case No. 53/2022 registered under Sections 386/436/34 IPC.

The petitioner Chidam Biswas has been shown as absconder in the charge sheet filed under sections 386/436 CrPC. Petitioner apprehends that if he appears before the court below, he will be remanded to custody since the offence is Sessions triable one.

I have considered the submissions made by the learned counsel for both the parties.

Since the petitioner himself wants to face the trial, he does not deserve to be detained in custody. Therefore, the prayer for pre-arrest bail of the petitioner is allowed.

Accordingly, it is directed that, on his appearance before the Judicial Magistrate First Class, Morigaon in connection with Bhuragaon P.S. Case No. 181/2021 corresponding to PRC Case No. 53/2022 registered under Sections 386/436/34 IPC, the petitioner Chidam Biswas shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned trial court above-mentioned.

With the above, the present anticipatory bail application is disposed of.

JUDGE

Comparing Assistant