

GAHC010093712024



2024:GAU-AS:11369

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

Case No. : AB/1214/2024

MD. FIZNUR ALI AND ANR.
S/O LATE JAKIR ALI
R/O NIZARAPUR, SUNDARBORI
P.O. JALUKBARI, GUWAHATI-14, P.S. JALUKBARI, DIST. KAMRUP (M),
ASSAM

2: ABDUL HOQUE
S/O LAL CHAND MIYAN
R/O VILL- NIZ - KHARUPETIA
P.S. KHARUPETIA
DIST. DARRANG
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A K AZAD, MS S DEVI

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

21.11.2024

Heard Mr. A K Azad, learned counsel for the petitioners and Mr. B Sarma, learned Additional Public Prosecutor, Assam, for the State.

2) Pursuant to the order dated 11.11.2024, the 2nd Officer-in-Charge of Basistha Police Station, namely, Sub-Inspector of Police Rahul Doley and the Investigating Officer of said Basistha Police Station Case No.208/2024, Sub-Inspector of Police Sri Ritupan Kalita are present before the Court today.

3) Mr. B Sarma, learned APP, Assam on instruction submitted that the Officer-in-Charge of Basistha Police Station could not personally remain present before the Court today as he had to attend the rituals of his late mother.

4) Mr. B Sarma, learned APP, Assam on instruction has also submitted that after completion of the investigation, charge sheet in said Basistha P.S. Case No.208/2024 was filed vide Charge-sheet No.325/2024 dated-26.06.2024.

5) Both the police officers, namely, Sub-Inspector Rahul Doley and Sub-Inspector Sri Ritupan Kalita, have tendered their unconditional apologies for their mistakes and submitted that they will not repeat such mistakes again.

6) Considering their unconditional apologies, the personal appearance of both the police officers are dispensed with and they are further directed to be cautious and be aware of the outcome of disregarding or noncompliance of the orders of the Court henceforth.

7) As charge-sheet in said Basistha P.S. Case No.208/2024 has already been filed on 26.06.2024, the petitioners are directed to appear before the appropriate forum, if not already appeared, for their regular bail in the said Basistha P.S. Case **on or before 28.11.2024.**

8) For the said purpose, interim bail granted to the petitioners earlier on 13.05.2024 in said Basistha P.S. Case No.208/2024 is extended only up to **28.11.2024.**

- 9)** With the above observation and direction, this pre-arrest bail application stands closed.

JUDGE

Comparing Assistant