

GAHC010133082024



AS:12072-DB

2024:GAU-

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

Case No. : I.A.(Civil)/2163/2024

SOLIMUDDIN
S/O. MD. SOBURUDDIN, VILL. NARAVITA PART-II, P.S. ABHAYAPURI, DIST.
BONGAIGAON, ASSAM.

VERSUS

THE UNION OF INDIA and 4 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI.

Advocate for the Petitioner : MR F U BARBHUIYA,

Advocate for the Respondent : DY.S.G.I.,

Linked Case : WP(C)/4619/2017

SOLIMUDDIN
S/O. MD. SOBURUDDIN
VILL. NARAVITA PART-II
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSAM.

VERSUS

THE UNION OF INDIA and 4 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA
MINISTRY OF HOME AFFAIRS
NEW DELHI.

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER and SECRETARY TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-6.

3:THE SUPERINTENDENT OF POLICE B
BONGAIGAON.

4:THE DY. COMMISSIONER
BONGAIGAON.

5:THE OFFICER-IN-CHARGE

ABHAYAPURI POLICE STATION
DIST. BONGAIGAON.

Advocate for : MR.H MUBARAK
Advocate for : appearing for THE UNION OF INDIA and 4 ORS.

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

02.12.2024

(K.R. Surana, J)

Heard Ms. S. Das, learned counsel for the applicant. Also heard Ms. L. Devi, Learned CGC appearing for the respondent no. 1, Mr. J. Payeng, learned Standing Counsel for the FT matters representing the respondent Nos. 2, 3 and 5 and Mr. P. Sharmah, learned Additional Senior Government Advocate appearing for respondent no. 4.

2. By filing this interlocutory application, the applicant, namely, Solimuddin, seeking an extension of time granted by this Court by order dated 29.04.2024 in WP(C)/4619/2017, thereby directing the applicant to appear before the Superintendent of Police (Border), Bongaigaon on or before 22.05.2024, for the purpose of taking bail in terms of the said order.

3. The learned counsel for the applicant has submitted that the applicant could not be contacted over his mobile number. Therefore, information about the order was sent through the learned counsel. By the time the information was communicated, the time granted by this Court to take bail had already expired.

4. The learned Standing Counsel for the FT matters has opposed this application. Be that as it may, in view of the nature of the explanation rendered, and the same is accepted for the applicant for not being able to appear before the Superintendent of Police (Border), Bongaigaon, to take bail. Accordingly, commencing from today, time is extended till 09.12.2024, for the applicant to appear before the Superintendent of Police (Border), Bongaigaon, and to take bail in terms of the order dated 29.04.2024, passed by this Court in WP(C)/4619/2017. It is made clear that on failure of the applicant to appear before the said authority and to take bail within the extended time, the order shall stand lapsed due to efflux of time.

5. In the event, the applicant appears before the Superintendent of Police (Border), Bongaigaon, within the extended time allowed, the said Authority shall do the needful in terms of the order dated 29.04.2024, passed by this Court in WP(C) No. 4619/2017 of the same terms as indicated therein.

6. This order shall be read together with the order dated 29.04.2024, passed

in WP(C) No. 4619/2017.

7. This interlocutory application stands disposed of.

JUDGE

JUDGE

Comparing Assistant