

GAHC010135542024



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

Case No. : Crl.Pet./931/2024

RANJIT ALI AND ANR
S/O LATE ABDUL GONI
R/O KUKARPAR, P.S. SARTHEBARI, IN THE DIST. BARPETA, ASSAM

2: DURJAN KHAN
S/O LATE AFJAL KHAN
R/O KUKARPAR

P.S. SARTHEBARI

IN THE DIST. OF BARPETA
ASSA

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:MD. MOYNUL HOQUE
S/O LATE MOYEN UDDIN
R/O PATHOLIKUCHI PATHAR
P.S. BARPETA
IN THE DISTRICT OF BARPETA
ASSAM
PIN- 781314

Advocate for the Petitioner : MR. S MUNIR, MR. J ALI,MR S H SIKDAR,MR S M ABDULLAH
P

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

08.08.2024

Heard Mr. J Ali, learned counsel for the petitioners as well as Mr. B Sarma, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 482 of the CrPC challenging the order dated 10.06.2024 passed in PRC Case No. 403/2022 chargesheeted under Section 302 of the IPC along with other relevant sections of the said code, the petitioners are shown absconders in the chargesheet.

It is submitted that the petitioners, now, wanted to face the trial. But, the petitioners are of the view that if they appear before the court of the Magistrate, they may be remanded to custody since the court of the Magistrate has no jurisdiction to try the offence.

I have considered the submissions made by the learned counsel of both sides. Since the petitioners are interested in facing the trial, they should be given an opportunity to that effect. Therefore, it is hereby directed that, on appearance of the petitioners, namely, (1) Ranjit Ali and (2) Durjan Khan, before the learned SDJM (S), Barpeta, they shall be released on bail of Rs.25,000/- each with one surety of like amount to the satisfaction of the learned SDJM (S), Barpeta.

With the above, the criminal petition is disposed of.

JUDGE

Comparing Assistant