

GAHC010146812024



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

Case No. : I.A.(Crl.)/656/2024

MANNONG MOSSANG AND ANR
S/O- SRI LEMKOM MOSSANG, R/O- RENUK BASTI, MANMAO, P.S.
MANMAO, DIST. CHANGLANG, ARUNACHAL PRADESH.

2: Monkul Mosang Alias Mankhul Mossang
ARUNACHAL PRADES

VERSUS

THE STATE OF ASSAM,
REP BY THE PP ASSAM

2:MONKUL MOSANG @ MANKHUL MOSSANG
S/O- SRI LEMKOM MOSSANG
R/O- RENUK BASTI
MANMAO
P.S. MANMAO
DIST- CHANGLANG
ARUNACHAL PRADESH

Advocate for the Petitioner : MR BHASKAR BARUAH
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 25.07.2024

Heard Mr. B.Baruah, learned counsel for the applicants. Also Heard Mr. D.P.Goswami, learned Addl. Public Prosecutor, Assam appearing for the State opposite party.

By filing this interlocutory application under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 r/w Section 439 (1)(b) of the CrPC, the applicants have prayed for relaxation and modification of the bail conditions mentioned in the order dated 16.07.2024 passed in Bail Application No.1726/2024.

Mr. B.Baruah, learned counsel for the applicants, submits that vide order dated 16.07.2024 passed in Bail Application No.1726/2024, the condition to provide sureties of Government employee, the applicants/ petitioners states that as the applicants have no other source of occupation who depends on cultivation only, they cannot provide such sureties of Government employee of Assam and as such, the above condition may be relaxed. It is further submitted that vide the aforesaid order, in place of learned SDJM, Margherita, Tinsukia, the same would be modified as 'Additional Sessions Judge (FTC) No. 1-cum- Special Judge, Margherita, Tinsukia.'

After hearing the learned counsel for the applicants and considering the grounds cited in the petition, the prayer for correction as sought for by the applicants is modified to the extent that in the said order, instead of 'SDJM, Margherita, Tinsukia' the same shall be read as 'Additional Sessions Judge (FTC) No. 1-cum-Special Judge, Margherita, Tinsukia' whereas the other condition for relaxation in providing sureties of Government employee of Assam is not allowed.

This order shall form part of the order, 16.07.2024, passed in Bail Application 1726/2024.

With the above direction, the interlocutory application stands disposed of.

JUDGE

Comparing Assistant