

GAHC010156842024



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

Case No. : Bail Appln./2336/2024

SAHITYA DAS
S/O LT. BHABEN DAS, R/O BHUYAPARA, P.S.-SALBARI, DIST- BAKSA, PIN-
781318, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J KALITA, MR SOHAING

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

07.08.2024

Heard Mr. J. Kalita, the learned counsel representing the petitioner. Also heard Mr. B. Sarma, the learned Addl. Public Prosecutor, Assam.

2. This is application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS), 2023 praying for grant of bail in respect of Sessions Case No.270/2018 pending in the court of Sessions Judge, Baksa.

3. The petitioner has been facing trial under Section 302 of the Indian Penal Code. Earlier, the case was pending in the district of Barpeta. At that time, the petitioner was allowed to go on bail by the Sessions Judge, Barpeta. After that, the district of Baksa was created and the case was transferred to the Court of Sessions Judge, Baksa.

4. All these things created communication gaps. Moreover, the petitioner had to go to another State of our country in search of job. Therefore, he could not appear before the Sessions Court at Baksa. The court at Baksa issued Non-Bailable Warrant of Arrest (NBWA) against him and he was arrested.

5. I have considered the submissions made by the learned counsel of both sides.

6. The bail prayer of the petitioner is allowed.

7. It is hereby directed that in connection with the aforesaid case, the petitioner Sri Sahitya Das shall be released on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Sessions Judge, Baksa.

With the aforesaid direction, the bail application is disposed of.

JUDGE

Comparing Assistant