

GAHC010158132024



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

Case No. : AB/2082/2024

MRINAL SAIKIA AND 2 ORS
S/O PONA SAIKIA

2: RAMANI SAIKIA
S/O PONA SAIKIA

3: PONA SAIKIA
S/O LATE BHUMIDHAR SAIKIA
ALL ARE RESIDENTS OF VILL- HAZARIKAPARA
P.S. SIPAJHAR
DIST. DARRANG
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR M HOQUE, MS J BEGUM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 12.08.2024

Heard Mr. M. Hoque, learned counsel for the petitioners. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, praying for granting of pre-arrest bail in respect of P.R.C. No. 2028/2023 pending in the Court of learned Sub-Divisional Judicial Magistrate(S) Darrang, Mangaldai, Assam.

3. On the basis of an FIR lodged by Bhabeswari Saikia, police registered the Case being Sipajhar P.S. Case No.221/2020 under Sections 447/427/294/326/307/34 of the Indian Penal Code. Ultimately, police filed the Final Report of the aforesaid case. Thereafter, the informant filed an objection petition before the learned Magistrate and the learned Magistrate issued summons to the petitioners.

4. The petitioners now apprehend that on his appearance before the Court below, he will be remanded to custody.

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

6. The petitioners are interested in facing trial in connection with the aforesaid case. Therefore, it is directed that on his appearance before the learned Sub-Divisional Judicial Magistrate(S) Darrang, Mangaldai, the petitioners, namely, (1) Mrinal Saikia, (2) Ramani Saikia and (3) Pona Saikia, they shall be released on bail of Rs.20,000/- each with sureties of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate(S) Darrang, Mangaldai.

7. With the aforesaid direction the bail application stands disposed of.

JUDGE

Comparing Assistant