

GAHC010158302024



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

Case No. : AB/2086/2024

AJOY KR RAY
S/O ROBINATH MILI
R/O CHAPAR BAMUNDANGA
P.O. CHAPAR
P.S. GOLAKGANJ
DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. D GOGOI, MR P H KONWAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 08.08.2024

Heard Mr. G. Chamuah, the learned counsel appearing for the petitioner as well as Mr. K.K. Parasar, the learned Additional P.P. for the State of Assam.

2. This is an application u/s 482 of BNSS, 2023 praying for grant of pre-arrest bail

to the petitioner in respect of PRC Case No. 1966/2023 arising out of Golakganj P.S. Case No. 186/2023 pending in the court of the learned Chief Judicial Magistrate, Dhubri.

3. The petitioner has been charge-sheeted in a case u/s 376 of the Indian Penal Code. In the charge sheet, the petitioner is shown as an absconder.

4. Therefore, now the petitioner apprehends that if he appears before the trial court, Dhubri, he will be remanded to custody as because this Court has no jurisdiction to entertain this application.

5. I have considered the submissions made by Mr. G. Chamauh as well as Mr. Parasar. I have also gone through the evidence available in the record.

6. Since the petitioner wants to face trial, he should be given one opportunity. Therefore, his prayer for bail is allowed.

7. Therefore, it is hereby directed that on his appearance before the court of the learned Chief Judicial Magistrate, Dhubri, the petitioner, namely, Ajoy Kr. Ray shall be released on bail of Rs. 25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Dhubri.

8. With the aforesaid direction, the anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant