

GAHC010158312024



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

**Case No. : AB/2087/2024**

DWIPEN KR ROY @ DIPU BARMAN AND ANR  
S/O LATE RAMANI KANTA ROY  
R/O PASCHIM KUMARI PART-III,  
P.O. RATIDAHA  
P.S. GOLAKGANJ  
DIST. DHUBRI, ASSAM

2: DHRUBAJYOTI ROY  
S/O SACHIN CHANDRA ROY  
R/O PASCHIM KUMARI PART-III  
P.O. RATIDAHA  
P.S. GOLAKGANJ  
DIST. DHUBRI  
ASSA

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 petitioners 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 petitioners in respect of PRC Case No. 4309/2022 pending in the court of the learned Sub-Divisional Judicial Magistrate, Dhubri.

3. Both the petitioners are charge-sheeted in a session's triable case. The petitioners now apprehend that if they appear before the court of learned Sub-Divisional Judicial Magistrate, Dhubri, they will be remanded to custody as because this Court has no jurisdiction to grant bail in a session's triable case.

4. I have considered the submissions made by Mr. Chamuah as well as Mr. Parasar. I have also gone through the evidence available in the record.

5. Since the petitioners want to face the trial, they should be given one opportunity. Therefore, their prayer for bail is allowed.

6. It is hereby directed that on appearance of the petitioners before the court of learned Sub-Divisional Judicial Magistrate, Dhubri, the petitioners, namely, 1. Dwipen Kr. Roy @ Dipu Barman and 2. Dhrubajyoti Roy shall be released on bail of Rs. 20,000/- each with a surety of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dhubri.

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

**JUDGE**

**Comparing Assistant**