

GAHC010160992024



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

Case No. : AB/2110/2024

PRASANTA KALITA
S/O SRI SUSHIL KALITA
R/O VILL- GARAMUR DULIA GAON
P.O. JEC,
P.S. JORHAT,
DIST. JORHAT, ASSAM
PIN-785007

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR G CHAMUAH, MR. D GOGOI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 12.08.2024

Heard Mr. G. Chamuah, learned counsel for the petitioner. 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 anticipatory bail in respect of Jorhat P.S. Case No. 296/2024.

- 3.** The informant has lodged an FIR on 16.07.2024, wherein he has alleged that the present petitioner had attacked him with sharp weapons and caused injuries on his head. It is further alleged that his mobile phone and the cash amount of Rs.10,000/- was snatched away from him.
- 4.** Mr. Chamuah has pointed out that pursuant to an order dated 06.08.2024 passed by the learned Additional Sessions Judge, Jorhat in Misc Criminal Case No.175/2024 arising out of the same Police Case, the learned Sessions Judge has mentioned that the informant sustained simple injuries only.
- 5.** Since the looted money was not recovered, therefore his anticipatory bail application was rejected by the learned Additional Sessions Judge, Jorhat.
- 6.** I have considered the submissions made by the learned counsel of both the sides.
- 7.** Since the informant had sustained simple injuries only, therefore the present petitioner does not deserve to be detained in custody. The prayer for anticipatory bail is allowed.
- 8.** It is hereby directed that in the event of arrest in connection with Jorhat P.S. Case No. 296/2024, the petitioner Prasanta Kalita shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the arresting authority.
- 9.** The petitioner shall appear before the Investigating Police Officer within next 10(ten) days from today.
- 10.** With the aforesaid direction the bail application stands disposed of.

JUDGE

Comparing Assistant