

GAHC010168842024



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

Case No. : Bail Appln./2483/2024

CHANDRA SAIKIA AND 2 ORS.
S/O- LATE BHUNESWAR SAIKIA, R/O- GOPALPUR TINGOLIBORI, P.S.
GOHPUR, DIST. BISWANATH, ASSAM, PIN- 784168.

2: JYOTI SAIKIA
W/O- SRI CHANDRA SAIKIA
R/O- GOPALPUR TINGOLIBORI
P.S. GOHPUR
DIST. BISWANATH
ASSAM
PIN- 784168.

3: ADITYA SAIKIA
S/O- SRI CHANDRA SAIKIA
R/O- GOPALPUR TINGOLIBORI
P.S. GOHPUR
DIST. BISWANATH
ASSAM
PIN- 784168

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. L GOGOI,

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

27.08.2024

Heard Mr. B Chanda, learned counsel for the petitioners as well as Mr. B Sharma, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 by the petitioners, namely, (1) Sri Chandra Saikia; (2) Mrs. Jyoti Saikia; and (3) Sri Aditya Saikia, who were arrested in connection with Gohpur P.S. Case No. 100/2024 registered under sections 127(2)/117(2)/303(2)/3(5) and 109 of the BNS, 2023.

A person called Rijul Orang had gone to the house of the petitioners to pay Rs.8,000/- and there he was beaten with stick and other sharp weapons.

Mr. Chanda has submitted that the informant used to send obscene messages to a married woman of the family and that is the reason he was beaten up.

The learned counsel for the petitioners has further submitted that petitioner nos. 1 and 2 have already spent 45 days and the petitioner no. 3 has already spent 48 days in judicial custody.

I have considered the submission made by the learned counsel of both sides. This court is of the opinion that under the given circumstances the petitioners do not deserve to be detained in custody for any further period of time. Hence, the prayer for bail of the petitioner is allowed.

Accordingly, it is directed that the petitioners, namely, (1) Sri Chandra Saikia; (2) Mrs. Jyoti Saikia; and (3) Sri Aditya Saikia, who were arrested in connection with Gohpur P.S. Case No. 100/2024 registered under sections 127(2)/117(2)/303(2)/3(5) and 109 of the BNS, 2023 shall be released on bail of Rs.20,000/- each with one surety of like amount to the satisfaction of the learned SDJM, Gohpur.

The bail application is disposed of.

JUDGE

Comparing Assistant