

GAHC010169872024



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

Case No. : AB/2202/2024

BABLA SAIKIA
S/O BABUL SAIKIA, R/O VILL- LANKA TOWN, WARD NO.7, P.O. AND P.S.
LANKA, DISTRICT HOJAI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, GOVT. OF ASSAM

Advocate for the Petitioner : MR. L GOGOI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 22.08.2024

Heard Mr. L. Gogoi, learned counsel for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for pre-arrest bail in respect of PRC Case No.1334/2021 pending in the Court of learned SDJM, Hojai, Sankardev Nagar.

3. The petitioner has been Charge-sheeted in the Sessions triable case, now he

apprehends that since the learned SDJM does not have the jurisdiction to grant bail, he shall be remanded to custody.

4. The petitioner submits that he is interested to face the trial.

5. I have considered the submissions made by the learned counsels of both the sides, since the petitioner wants to face the trial, he does not deserve to be detained in custody.

6. Therefore, the prayer is allowed.

7. The petitioner is hereby directed to appear before the learned SDJM, Hojai, Sankardev Nagar within next 10(ten) days from today and on his appearance, he shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the SDJM, Hojai, Sankardev Nagar.

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

JUDGE

Comparing Assistant