

GAHC010171212024



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

Case No. : Crl.Pet./1053/2024

PARASHURAM DAS @ SIMANTA DAS
S/O SRI AJIT DAS
R/O BORHUJ GAON UNDER PULIBOR POLICE STATION, IN THE DISTRICT
OF JORHAT, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. B M CHOUDHURY, MR. U CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 29.08.2024

Heard Mr. B.M. Choudhury, learned counsel appearing for the petitioner as well as Mr. B. Sarma, learned Additional Public Prosecutor for the State of Assam.

2. This is an application u/s 528 of BNSS, 2023 challenging the orders dated 14.05.2024 and 04.07.2024 passed by the court of the learned S.D.J.M. (S), Jorhat in

PRC Case No. 696/2023.

3. The petitioner has been facing trial in a case under Section 326/307 of the Indian Penal Code. Earlier he was released on PR Bond. During the pendency of the said case, he was again arrested in connection with another case and was put behind the bar. Therefore, the learned S.D.J.M. (S), Jorhat issued production warrant for that case and allowed him to go on bail of Rs. 20,000/- with a surety of like amount instead of allowing him to go on PR Bond.

4. It is submitted that the petitioner is a poor man and he could not furnish the sureties. Therefore, he is still behind the bar.

5. I have considered the submissions made by the learned counsels of both sides.

6. The prayer of the petitioner is allowed.

7. It is hereby directed that the petitioner, namely, Sri Parashuram Das @ Simanta Das shall be released in respect of PRC Case No. 696/2023 pending in the court of the learned S.D.J.M. (S), Jorhat on PR Bond.

8. With the aforesaid direction, the criminal petition stands disposed of.

JUDGE

Comparing Assistant