

GAHC010171742024



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

Case No. : AB/2234/2024

ASAD AHMED
S/O MD. JILU AHMED
A PERMANENT RESIDENT OF VILL- DAKHIN UDALI, P.S. LANKA
DIST. HOJAI, ASSAM
PIN-782446
MOBILE NO. 6000525095

VERSUS

THE STATE OF ASSAM
TO BE REP BY THE LEARNED PP, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, SAMIM RAHMAN, MR S A
BARBHUYAN, MS SURAYA RAHMAN, MR A W AMAN

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.08.2024

Heard Mr. S. Nawaz, the learned counsel appearing for the petitioner as well as

Mr. B. Sarma, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of PRC No.142/2024 pending in the court of Chief Judicial Magistrate, Hojai, Sankardevnagar.

3. The petitioner has been shown as an absconder in a *charge sheet* filed under Section 376 of the Indian Penal Code read with Section 511 of the said Code.

4. The petitioner now apprehends that whenever he appears before the court of Chief Judicial Magistrate, he will be remanded to custody as the said offences are triable by a court of Sessions.

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

6. Since the petitioner is willing to face the trial, he should be given an opportunity to face the trial.

7. Therefore, his bail application is allowed.

8. The petitioner Md. Asad Ahmed is directed to appear before the trial court on 30.09.2024 and on his appearance, he shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of learned Chief Judicial Magistrate, Hojai, Sankardevnagar.

The application for bail is disposed of accordingly.

JUDGE

Comparing Assistant