

GAHC010172542024



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

Case No. : AB/2237/2024

CHANDRADHAR DAS
S/O LATE LALMOHAN DAS, VILL R/O GANAKPARA, P.S.-CHHAYGAON,
DIST- KAMRUP, ASSAM, P/R/A VILL- DHUMERGHAT (MORICHBARI), P.S.-
GAURIPUR, DIST- DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A ALI, MR. Y ALI

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.08.2024

Heard Mr. A. Ali, 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 praying for pre-arrest bail in respect of PRC No.1813/2023 arising out of Gauripur P.S. Case No.1030/2024 under Sections 376/417 of the IPC.
3. The petitioner has been shown as an absconder in a *charge sheet* filed under Sections 376 and 417 of the IPC.
4. The petitioner has received summons but apprehends that on his appearance, 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. I have also gone through the FIR and other relevant documents.
6. This Court is of the opinion that the petitioner does not deserve to be detained in custody at this stage. Therefore, his pre-arrest bail application is allowed.
7. The bail application of the petitioner is allowed.
8. The petitioner is directed to appear before the trial court on 06.09.2024 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, Dhubri.

The petitioner shall co-operate with the trial court by appearing on each date of hearing.

The application for bail is disposed of accordingly.

JUDGE

Comparing Assistant