

GAHC010174542024



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

Case No. : AB/2275/2024

MOSIRON BIBI
W/O BADSHA SK., R/O VILL- JHORNARCHAR PT 01, P.S.-FAKIRGANJ, DIST-
DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

30.09.2024

Heard Mr. S Das, learned counsel for the petitioner and Mr. R J Baruah, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 482 of the BNSS, 2023 praying for pre-arrest bail in favour of the petitioner, namely, Mosiron Bibi, in connection with PRC Case No. 1138/2023 pending in the court of the learned SDJM, Dhubri.

The petitioner has been shown as absconder in the charge sheet filed under Sections 302/304 B and some other sections of Indian Penal Code.

It is submitted that the petitioner now intends to face the trial but she apprehends that if she appears before the court of the learned SDJM, she may be remanded to custody as the learned SDJM has no jurisdiction to entertain her bail prayer as the offences are triable by the court of Sessions.

I have considered the submission made by the learned counsel of both sides. Since the petitioner is interested to face the trial, she may be given an opportunity for the same.

The petitioner Mosiron Bibi is directed to appear before the learned SDJM, Dhubri in connection with PRC Case No. 1138/2023 on 22.10.2024. On her appearance, the petitioner shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned SDJM, Dhubri.

The bail application is disposed of.

JUDGE

Comparing Assistant