

GAHC010180902024



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

Case No. : Bail Appln./2666/2024

GOPAL UPADHYAY
S/O SRI NANDA LAL UPADHYAYA
R/O VILL- NUTAN HOWLY
P.S. TAMULPUR
DIST. TAMULPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 11.09.2024

Heard Mr. B. Chowdhury, the learned counsel appearing for the petitioner. Also heard Mr. B. Sarma, learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 praying for

granting regular bail in respect of Tamulpur P.S. Case No.159/2024 (corresponding to G.R. Case No.561/2024) under Section 108 of the BNS, 2023.

3. Mr. Chowdhury has submitted that today is the 62nd day of detention and therefore, the petitioner is entitled to default bail.

4. On instructions Mr. Sarma submits that, in this case, no *charge sheet* has been filed, as yet.

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

6. The petitioner is entitled to default bail.

7. Therefore, the petitioner Sri. Gopal Upadhyay who was arrested in connection with Tamulpur P.S. Case No.159/2024 (corresponding to G.R. Case No.561/2024) under Section 108 of the BNSS, 2023, shall be released on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Mushalpur, Baksa.

With the above direction, the bail application is disposed of accordingly.

JUDGE

Comparing Assistant