

GAHC010192752024



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

**Case No. : AB/2496/2024**

CHIRANJIB SAIKIA @ SANJIB SAIKIA @ BOIL  
S/O MR. BIJOY SAIKIA  
PERMANENT RESIDENT OF VILL- BOKULONI CHARIALI, P.S. DULIAJAN  
DIBRUGARH, ASSAM,  
PIN-786191

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. S SARMA, B SAHA, MR B P SARMAH, MR D DAS, MR. C CHAKRAVARTY

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**23.10.2024**

Heard Mr. S. Sarma, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor appearing for the State respondent.

This is an application filed under **Section 482 BNS**, praying for pre-arrest

bail by the petitioner, namely, **Mr. Chiranjib Saikia @ Sanjib Saikia @ Boil**, in connection with **Duliajan PS Case No. 144/2024**, registered under **Section 307 BNS, 2023 read with Section 13 of the Assam Cattle Preservation Act**.

It is submitted by the learned counsel for the petitioner that the petitioner is no way connected with the alleged offence as he was suffering from mental disorder and on the date of incident he was in a rehabilitation centre at Dibrugarh. So it is not possible for him to commit the offence on 05.07.2024. In view of the above, benefit of pre-arrest bail may be extended to the petitioner.

On the other hand, Mr. Sarma, learned Additional Public Prosecutor has produced the case diary and raised objection against the prayer of the petitioner by stating that the petitioner is very much involved with the alleged offence and there is sufficient incriminating materials found in the case diary against the petitioner. Considering the nature of the offence, custodial interrogation of the petitioner is warranted.

I have considered the submissions made by the learned counsel for the parties. I have also perused the case diary.

Considering the materials available in the case diary as well as the gravity of offence, this Court is not inclined to grant the privilege of pre-arrest bail to the petitioner. Accordingly, prayer of the petitioner is rejected.

The petitioner is directed to surrender before the court of the jurisdictional magistrate or the investigating officer to facilitate the follow-up investigation.

The pre-arrest bail application stands disposed of.

Return the case diary.

**JUDGE**

**Comparing Assistant**