

GAHC010196272024



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

**Case No. : AB/2504/2024**

KAJIMUDDIN AHMED  
S/O- BADSHA MIYA,  
PERMANENT R/O- VILLAGE DIGJANI,  
P.S- KALGACHIA, DIST-BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP ASSAM

**Advocate for the Petitioner** : TAWHID ALOM LASKAR, SAMIM RAHMAN,MR A W  
AMAN,MR SARFRAZ NAWAZ,MR. SURAJIT DAS

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

**:: BEFORE ::**

**HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**O R D E R**

**20.09.2024**

Heard Mr. S. Nawaz, the learned counsel appearing for the petitioner. I have also heard Mr. K. Baishya, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for granting anticipatory bail in respect of PRC No.1073/2022.
3. The petitioner is shown as an absconder in a *charge sheet* arising out of PRC No.1073/2022 under Sections 457/380/328 of the Indian Penal Code.
4. The learned court of Sub-Divisional Judicial Magistrate (M), North Salmara, Abhayapuri has issued summons to the petitioner. He has apprehended that since the offences are triable by a court of Sessions, he shall be remanded to custody because the court of Sub-Divisional Judicial Magistrate (M), does not have the jurisdiction to entertain bail application of the present petitioner.
5. The petitioner has expressed his willingness to face the trial.
6. Therefore, this Court is of the opinion that the petitioner deserves to be given a chance to face the trial.
7. For the aforesaid reason, it is hereby directed that on his appearance on 13.11.2024 before the court of Sub-Divisional Judicial Magistrate (M), North Salmara, Abhayapuri in connection PRC No.1073/2022 under Sections 457/380/328 of the Indian Penal Code, the petitioner Kajimuddin Ahmed shall be released on bail of ₹20,000/- with a surety of like amount to the satisfaction of learned Sub-Divisional Judicial Magistrate (M), North Salmara, Abhayapuri.

With the aforesaid direction, the application for bail is disposed of.

**JUDGE**

**Comparing Assistant**