

GAHC010179522024



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

Case No. : Bail Appln./2628/2024

MD. RAJIBUL MALLIK AND ANR
S/O MD. BILLAL MALLIK, R/O VILL- PAZAR BHANGA, P.O.-BARGHOL, P.S.-
BAPETA, DIST- BARPETA, ASSAM, PIN-781302

2: MD. REZZAK MALLIK
S/O MD. BILLAL MALLIK
R/O VILL- PAZAR BHANGA
P.O.-BARGHOL
P.S.-BAPETA
DIST- BARPETA
ASSAM
PIN-78130

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A K HUSSAIN, MR. B HUSSAIN

Advocate for the Respondent : PP, ASSAM,

Linked Case : Bail Appln./2915/2024

MD. RAKIBUL ISLAM
S/O SHAHJAHAN ALI
R/O VILL- HAHCHARA
P.O. BAGODI
P.S. BARPETA
DIST. BARPETA
ASSAM
PIN CODE- 781311

VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MR. S C BISWAS
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

23.10.2024

Mr. A K Hussain and Mr. S C Biswas, both the learned counsels have appeared on behalf of the petitioners.

Mr. R J Baruah, learned Additional Public Prosecutor, Assam has appeared on behalf of the State Respondent.

The learned Additional Public Prosecutor submits that Police has filed Charge Sheet being C.S. No. 164/2024 date 08.10.2024.

On the other hand, Mr. Hussain has submitted that he has the information that the charge sheet filed is lying in the Office of the Superintendant of Police, Bajali and not yet sent to the Court.

Further, Mr. Biswas has submitted that this Court has already held that until a charge sheet is seen by Magistrate, the charge sheet is incomplete.

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

Since the charge sheet has been filed, the petitioners are directed to approach the trial court for seeking regular bail. It is also made clear that if the prayers of the petitioners for bail are not granted by the trial court, they have the liberty to approach this court again.

With the above, the bail applications are closed and disposed of.

JUDGE

Comparing Assistant