

GAHC010210192024



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

**Case No. : AB/2681/2024**

AZAD KHAN  
S/O RAHMAN KHAN  
R/O VILL- NO. 1 JARONGDISHA  
P.O. AND P.S. LUMDING  
DIST. HOJAI, ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. N K KALITA, MR D DEKA

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

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 04-10-2024**

**04.10.2024**

**1.** Heard Mr. N.K. Kalita, the learned counsel for the petitioner. Also heard Mr. R.J. Barua, the learned Addl. PP for the State of Assam.

- 2.** This is an application under Section 482 of the BNSS, 2023 praying for pre-arrest bail in respect of PRC Case No. 957 of 2024 arising out of Lumding P.S. Case No. 20 of 2024.
- 3.** The petitioner has been shown as an absconder in the charge-sheet which contains the accusation under Section 307/333/353 of the Indian Penal Code. Since the offences are triable in the Court of Sessions, the petitioner has the apprehension that the Court of the learned Judicial Magistrate, 1<sup>st</sup> Class, Hojai will remand him to the custody whenever he appears before the Court. The petitioner is interested in facing the trial.
- 4.** I have considered the submissions made by learned counsel for both sides.
- 5.** Since the petitioner is interested in facing the trial, he deserves to be given one opportunity to the effect.
- 6.** Therefore, the prayer is allowed.
- 7.** Therefore, it is hereby directed that on his appearance before the Court of the learned SDJM, Hojai in respect of PRC Case No. 957/2024, the petitioner Azad Khan shall be released on bail of Rs. 20,000/- with a suitable surety of like amount to the satisfaction of the learned SDJM, Hojai.

The bail application stands disposed of.

**JUDGE**

**Comparing Assistant**