

GAHC010220612024



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

Case No. : AB/2822/2024

MALEK ALI
S/O TAJIM UDDIN SHEIKH
VILL- BARBALUPARA
P.S.MATIA
DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR F HAQUE, MR A ISLAM, MR. S K M ALOMGIR

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.10.2024

Heard Mr. F. Haque, the learned counsel appearing for the petitioner. Also heard Mr. M.P. Goswami, the learned Addl. Public Prosecutor, Assam.

2. Mr. Goswami submits that the scanned copy of the LCR should be called for.
3. This is an application under Section 482 of the BNSS, 2023 in respect of PRC No.1016/2024.
4. The petitioner is shown as an absconder in a *charge sheet* alleging that he had committed offences under Sections 376/313/323/506/34 of the IPC.
5. The petitioner submits that he has married the informant and wants to face the trial.
6. The petitioner further submits that since the offence is a Sessions triable one, the court of learned Chief Judicial Magistrate would not allow him to go on bail.
7. I have considered the submissions made by the learned counsel of both sides.
8. Since the petitioner is interested in facing the trial, he deserves to be given an opportunity to face the trial.
9. Therefore, it is hereby directed that whenever the petitioner, namely- Malek Ali appears before the learned Chief Judicial Magistrate, Goalpara in connection with PRC No.1016/2024, he shall be allowed to go on bail of ₹20,000/- with a surety of like amount to the satisfaction of the arresting authority.
10. The petitioner shall regularly appear before the learned trial court on each and every date. If he defaults in appearance, the trial court shall be at liberty to take appropriate action against him.

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

JUDGE

Comparing Assistant