

GAHC010221562024



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

Case No. : Bail Appln./3261/2024

MINTU SARKAR @ PINTU SARKAR AND ANR.
S/O LATE TAPAN SARKAR
R/O VILL- VILL- KODAMONI BASTI
P.S. BISWANATH CHARIALI,
DIST. BISWANATH, ASSAM

2: ARUP SAIKIA
S/O LATE BHUMIDHAR SARKAR
R/O VILL- BORKURA
P.S. BEHALI
DIST. BISWANATH
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : B BURAGOHAIN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 25.10.2024

Heard Mr. B.Buragohain, learned counsel appearing for the petitioners as well as Mr. RJ

Baruah, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 483 of the BNSS, 2023 praying for granting bail to the petitioners, 1. Sri Mintu Sarkar @ Pintu Sarkar and 2. Sri Arup Saikia, after they were arrested in connection with Gingia P.S. Case No. 76/2024 under Sections 61(2)/316(2)/318(4)/322/336(3)/340(2) of the BNSS, 2023.

3. One lady has stated in the petition that she has put her signature in an agreement with the petitioners. She alleges that she did know that the contents of the agreement was against her choice.

4. Mr. Baruah has submitted that for consideration of the bail prayer perusal of the case diary would be necessary.

5. I have considered the submissions made by the learned counsels of both sides. .

6. Considering the circumstances, under which the FIR was lodged and also considering the fact that the petitioners had already spent 25 days in judicial custody, their bail application is allowed.

7. It is hereby directed that the petitioners, 1. Sri Mintu Sarkar @ Pintu Sarkar and 2. Sri Arup Saikia, who were arrested in connection with Gingia P.S. Case No. 76/2024 shall be released on bail of Rs. 25,000/- each with a surety of like amount to the satisfaction of the learned SDJM (M), Biswanath Chariali.

8. The bail application stands disposed of accordingly.

JUDGE

Comparing Assistant