

GAHC010222232024



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

Case No. : AB/2805/2024

DEEP JYOTI GOSWAMI AND 3 ORS.
S/O LATE RATNA JYOTI GOSWAMI
R/O DHEKIAJULI
WARD NO. 1 UNDER DHEKIAJULI POLICE STATION,
IN THE DISTRICT OF SONITPUR, ASSAM

2: RUP JYOTI GOSWAMI
S/O LATE RATNA JYOTI GOSWAMI
R/O DHEKIAJULI
WARD NO. 1 UNDER DHEKIAJULI POLICE STATION

IN THE DISTRICT OF SONITPUR
ASSAM

3: BISHWA JYOTI GOSWAMI
S/O LATE RATNA JYOTI GOSWAMI
R/O DHEKIAJULI
WARD NO. 1 UNDER DHEKIAJULI POLICE STATION

IN THE DISTRICT OF SONITPUR
ASSAM

4: MADAN HALOI
S/O LATE ANANDA RAM HALOI
R/O DHEKIAJULI
WARD NO. 1 UNDER DHEKIAJULI POLICE STATION

IN THE DISTRICT OF SONITPUR
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MS B GOSWAMI, MS P SAIKIA,MR P CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 24.10.2024

- 1.** Heard Mr. P. Choudhury, learned counsel for the petitioners. Also heard Mr. R. R. Kaushik, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for pre arrest bail in respect of Dhekiajuli P.S. Case No.214/2024.
- 3.** A Motor Cycle was parked in front of the entrance gate of the informant's house. He removed the Bike and went out of his house but before that he again kept the said Bike parked in front of his house. When he returned his neighbor throw unsavory languages at him, which related to the community to which the informant belonged.
- 4.** According to the informant, the petitioner Bishwa Jyoti Goswami had entered into his house and caused damaged to the house hold properties.
- 5.** According to the informant, all the three petitioners had chased him by holding sharp weapons.
- 6.** On the same instance, the petitioners also filed an FIR before Police alleging that the informant of the other FIR had put the said Motorcycle in the middle of the road causing trouble to other people.
- 7.** The petitioners alleged that the informant of the other FIR and his relatives were

involved in a physical quarrel, where the mother of the three petitioners was also injured.

8. I have considered the submissions made by learned counsel for both the sides.

9. The incident narrated in both the FIRs constitutes petty offences and, therefore, nobody deserves to be detained in custody for those offences.

10. Therefore, the pre-arrest bail prayers made by the present petitioners are allowed.

11. It is hereby directed that in the event of arrest in connection with Dhekiajuli P.S. Case No.214/2024 the petitioners (1). Deep Jyoti Goswami, (2). Rup Jyoti Goswami, (3). Bishwa Jyoti Goswami and (4). Madan Haloi shall be released on bail of Rs.10,000/- each with a surety of like amount to the satisfaction of the arresting authority.

12. All the four petitioners shall co-operate with Police Investigation as and when required.

13. With the aforesaid direction the bail application stands disposed of.

JUDGE

Comparing Assistant