

GAHC010223362024



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

**Case No. : I.A.(Civil)/3268/2024**

NIRODH TRAPDAR@ NIRUTCHANDRA TARAPDAR  
S/O- NISHI KANTA TARAPDAR,  
PERMANENT R/O- VILLAGE - DALOGAON,  
P.O AND P.S- GOBARDHANA, DIST- BAKSA (BTAD), ASSAM, PIN-781315

VERSUS

THE UNION OF INDIA AND 6 ORS  
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME  
AFFAIRS, SASTRI BHAWAN, NEW DELHI- 110001.

2:THE ELECTION COMMISSION OF INDIA  
REP. BY THE CHIEF ELECTION COMMISSIONER OF INDIA  
NIRVACHAN SADAN  
ASHOKA ROAD  
NEW DELHI-110001

3:THE STATE OF ASSAM  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6

4:THE DEPUTY COMMISSIONER  
BARPETA  
PIN-781301

5:THE SUPERINTENDENT OF POLICE (B)  
BARPETA  
PIN-781301  
ASSAM

6:THE SUPERINTENDENT OF POLICE (B)  
BAKSA  
MUSHALPUR  
PIN-781372

7:THE COORDINATOR  
NATIONAL REGISTER OF CITIZENS  
ASSAM  
1ST FLOOR  
ACHYUT PLAZA  
G.S ROAD.  
BHANGAGARH  
GUWAHATI-05  
DIST- KAMRUP (M

**Advocate for the Petitioner** : MR. J ABBAS, MR. SURAJIT DAS,I HOQUE

**Advocate for the Respondent** : DY.S.G.I., SC, F.T,SC, ECI,GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**28.10.2024**

**[K.R. Surana, J]**

Heard Mr. J. Abbas, learned counsel for the applicant. Also heard Mr. A.K. Dutta, learned CGC for the respondent No.1; Mr. J. Payeng, learned Standing Counsel, Home Department, for the respondent Nos. 3, 5, 6 & 7; Ms. N. Bedi, learned counsel appearing on behalf of Ms. P. Barua, learned Standing Counsel, ECI, for the respondent No.2 and Mr. H.K. Hazarika, learned Government Advocate for the respondent No.4.

By filing this interlocutory application the applicant who is the writ petitioner in WP(C) Case No. 4800/2024 is seeking modification and alteration of the order dated 04.10.2024 passed in WP(C) 4800/2024.

The learned counsel for the applicant has submitted that as a condition of bail, the applicant was directed to appear before the Superintendent of Police (Border), Barpeta within 17.10.2024 and furnished a bail bond of Rs. 5,000/- with condition attached therewith. However, the learned counsel for the applicant submitted that the records has since been transferred from the Office of Superintendent of Police (Border) Barpeta to the Office of the Superintendent of Police (Border) Baksa, having jurisdiction of the place of resident of the applicant, it is submitted that his bail bond was not accepted by the Superintendent of Police (Border), Barpeta.

As the prayer made in the application is not objected to, the interlocutory application is allowed.

The order dated 04.2024 passed in WP(C) 4800/2024 is modified permitting the applicant to modify in paragraph 5. The applicant namely Nirodh Tarapdar @Nirutchandra Tarapdar who is the petitioner in WP(C) 4800/2024, if not already detained in custody, shall not be taken into custody and deported from India on the condition that he will be appeared before the Superintendent of Police (Border) Baksa within the extended period of time to 14.11.2024 and shall furnish a bail bond of Rs. 5,000/- with one local surety like amount to the satisfaction of the said authority.

On appearance of the petitioner the further direction contained in order dated 04.10.2024 in WP(C) 4800/2024 shall be complied with.

This order shall be read together with the order dated 04.10.2024 passed

by this Court in WP(C) 4800/2024.

The interlocutory application stands dispose of.

**JUDGE**

**JUDGE**

**Comparing Assistant**