

GAHC010225362024



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

Case No. : I.A.(Civil)/3369/2024

SAIDUR ISLAM @ SAIDUL ISLAM
S/O. JOYNAL ABEDIN, VILL. NAYAGAON PT-I, P/S JOGIGHOPA, DIST.
BONGAIGAON, ASSAM.

VERSUS

THE UNION OF INDIA and 3 ORS
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, NEW DELHI.

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER and SECRETARY TO THE GOVT.
OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE DEPUTY COMMISSIONER
DIST. BONGAIGAON.

4:THE SUPERINTENDENT OF POLICE B
BONGAIGAON
ASSAM

Advocate for the Petitioner : B DAS, „MR.H R A CHOUDHURY

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

Linked Case : WP(C)/7503/2017

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ASSAM.

Advocate for : MRS.H AHMED

Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA and 3 ORS.

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

08.11.2024

(K.R. Surana, J)

Heard Mr. A. M. Ahmed, learned counsel for the applicant. Also heard Mr.

S. P. Choudhury, learned CGC representing respondent no.1; Ms. A. Verma, learned Standing Counsel for the Home Department representing respondent nos. 2 and 4; and Mr. P. Sharma, learned Govt. Advocate representing respondent no. 3.

2. By filing this interlocutory application, the applicant, namely, Saidur Islam @ Saidul Islam is seeking extension of time to appear before the Superintendent of Police (Border), Bongaigaon, and to take bail in terms of order dated 01.05.2024, passed in the connected WP(C) 7503/2017.

3. The learned Standing Counsel for the Home Department has opposed the prayer made in this application on the ground that the explanation given in this interlocutory application that two phone numbers of the applicant was out of service does not inspire confidence. It is also submitted that the applicant is seeking extension of time by not appearing before the concerned authorities for bail and accordingly, he is disentitled to any further protection of the Court.

4. Be that as it may, notwithstanding the grounds projected in this application does not inspire the confidence of the Court, the Court is inclined to grant further 7 (seven) days time from today to the applicant, namely, Saidur Islam @ Saidul Islam to appear before the Superintendent of Police (Border), Bongaigaon and furnish bail bond in terms of order dated 01.05.2024, passed in WP(C) 7503/2017.

5. On appearance of the applicant within the time allowed, the Superintendent of Police (Border), Bongaigaon shall do the needful in terms of the said order dated 01.05.2024.

6. It is further provided that, in the event, the applicant does not appear before the said authority within 7 (seven) days time as extended, this

order shall stand lapsed and revoked after 1 (one) week and it would be open to the concerned authorities to take the applicant into custody.

7. This order shall be read together with order dated 01.05.2024, passed by this Court in WP(C) 7503/2017.

8. This interlocutory application is allowed and disposed of.

JUDGE

JUDGE

Comparing Assistant