

GAHC010228722024



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

Case No. : AB/2921/2024

NARAYAN ROY AND ANR.
S/O NIRMAL CHANDRA ROY
R/O VILL- PASHIM KERURI PT.II
PS. GOLAKGANJ
PIN- 783334
DIST. DHUBRI, ASSAM

2: RAMESWAR ROY
S/O NIRMAL CHANDRA ROY
R/O VILL- PASCHIM KARURI PT.II
P.S. GOLAKGANJ
PIN- 783334

DIST. DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MRS. K DEVI, N DEB, MS S A KHALIFA

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

13.11.2024

Heard the learned counsel Mrs. K. Devi appearing for the petitioners. I have also heard Mr. R.R. Kaushik, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of PRC No.4309/2022 corresponding to Golakganj P.S. Case No.1273/2019.

3. The petitioners have been *charge sheeted* in a Sessions triable case. The committing court issued summonses to them. Now, the petitioners apprehend that if they appear before the court of the learned Sub-Divisional Judicial Magistrate, Dhubri, they shall be remanded to custody since the said court does not have the jurisdiction to entertain their bail applications.

4. Both the petitioners have submitted that they are interested in facing the trial

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

6. Since the petitioners are interested in facing the trial, they deserve to be given opportunities to face the trial. Therefore, their applications for bail are allowed.

7. It is hereby directed that whenever the petitioners, namely- (1) Narayan Roy and (2) Rameswar Roy appear before the court of the Sub-Divisional Judicial Magistrate, Dhubri in connection with PRC No.4309/2022, they shall be released on bail of ₹20,000/- each with sureties of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dhubri.

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

JUDGE

Comparing Assistant