

GAHC010233002024



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

Case No. : AB/2935/2024

AJMOT ALI AND ANR
S/O LATE ALIMUDDIN
R/OVILL- BHODEYAGURI
P.S. KOKRAJHAR,
DIST. KOKRAJHAR, ASSAM

2: SHRI JAKIR ALI
S/O AJMOT ALI
R/O VILL- BHODEYAGURI
P.S. KOKRAJHAR
DIST. KOKRAJHAR
ASSA
VERSUS
THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M S ALAM, MD. S ALOM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.12.2024

Heard Mr. S. Alom, learned counsel appearing for the petitioners and Mr. R.R. Kaushik, learned Additional Public Prosecutor appearing for the state of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of

pre-arrest bail to the petitioners in respect of PRC Case No. 297/2024.

3. A charge sheet has been filed against both the petitioners alleging that they had committed sessions' triable offences.

4. Now, the petitioners have apprehended that if they appear before the court of the Chief Judicial Magistrate, Kokrajhar, they will be remanded to custody because that court has no jurisdiction to entertain the bail application.

5. The petitioners have submitted that they are interested in facing the trial as they are not involved in this case.

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

7. Since the petitioners are interested in facing the trial they deserve to be given an opportunity to face the trial.

8. The bail application of the petitioners is allowed.

9. Both the petitioners are directed to appear before the court of the Chief Judicial Magistrate, Kokrajhar in respect of PRC Case No. 297/2024. On their appearance, the petitioners, Ajmot Ali and Jakir Ali shall be released on bail of Rs. 20,000/- each with sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kokrajhar.

10. With the aforesaid direction, the bail application stands disposed of.

JUDGE

Comparing Assistant