

GAHC010240622024



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

Case No. : Bail Appln./3501/2024

INTAJUL HOQUE
S/O ANSER ALI
R/O VILL- BHANGNAMAIR
P.S. BHANGNAMARI
DIST. NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 28-11-2024

Heard Mr. B. Choudhury, learned Counsel for the petitioner and also Mr. B. Sharma, learned Additional Public Prosecutor appearing for the State respondents.

On the last date of listing, this Court on being apprised that the Charge-Sheet has been filed in connection with Bhagnamari P.S. Case No. 06/2024 on 09.10.2024, this Court had requisitioned a scanned copy of the Charge-sheet, however, the same has not been received till date which is evident from the Office Note dated 27.11.2024.

In view of the above position, Mr. B. Choudhury, learned counsel for the petitioner submits that the co-accused in the present case, namely, one *Sahjahan Ali* was granted bail by this Court, accordingly, he submits that the petitioner herein, being similarly placed like that of *Sahjahan Ali*, he is also entitled to the benefit of regular bail.

The said prayer is objected to by Mr. B. Sharma, learned Addl. Public Prosecutor, who submits that the petitioner, in view of filing of the Charge-sheet, herein, would be required to approach the learned Trial Court for a regular bail.

In view of the above submissions so made by Mr. B. Sharma, learned Addl. P.P., Mr. B. Choudhury, learned counsel for the petitioner submits that

the petitioner be permitted to approach the learned Trial Court, praying for regular bail in the matter.

The prayer made by Mr. B. Choudhury, learned counsel for the petitioner is accepted and the petitioner is required to approach the learned Trial Court for regular bail.

In the event of filing of such application before the learned Trial Court by the petitioner, the learned Trial Court shall examine the same in the light of the Charge-sheet so filed and also the orders passed by this Court in respect of similarly situated persons and thereafter, arrive at a conclusion as to whether the petitioner, herein, is required to be enlarged of bail or not.

With the above observations, the present bail application stands disposed of.

JUDGE

Comparing Assistant