

GAHC010256782024



2024:GAU-AS:13035

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

Case No. : Bail Appln./3753/2024

DEEPALI TALUKDAR AND ANR
W/O SRI CHABIN BARMAN
R/O GOTANAGAR,
FLAT NO. 4C, ABHIGUNA RESIDENCY
P.S. JALUKBARI
DIST. KAMRUP (M), ASSAM

2: CHABIN BARMAN
S/O LATE JAGYA RAM BARMAN
R/O GOTANAGAR

FLAT NO. 4C
ABHIGUNA RESIDENCY P.S. JALUKBARI

DIST. KAMRUP (M)
ASSA

VERSUS

THE STATE OF ASSAM AND ANR.
REP BY THE PP, ASSAM

2:CENTRAL BUREAU OF INVESTIGATION
REPRESENTED BY THE SPECIAL PUBLIC PROSECUTOR

Advocate for the Petitioner : MS G DEKA,

Advocate for the Respondent : PP, ASSAM, SC, CBI

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

20.12.2024

Heard Ms. G Deka, learned counsel for the petitioners and Mr. B Sarma, learned Additional Public Prosecutor, Assam for the State. Also heard Mr. M Haloi, learned Special Public Prosecutor, CBI.

2) By this application filed under Section 483 BNSS, 2023, the petitioners, namely, **(1) Smt. Deepali Talukdar**, wife of Sri Chabin Barman and **(2) Sri Chabin Barman**, son of late Jagya Ram Barman, both resident of Abhiguna Residency, Police Station-Jalukbari, District-Kamrup (M), is praying for their bail in **CBI, EO-III, NEW DELHI, RC2212024E0013/2024**, arising out of Panbazar Police Station Case No. 288/2024, registered under Sections 316(5)/318(4)/3(5) BNS, 2023 read with Section 21 of the Banning of Unregulated Deposit Scheme Act, 2019, wherein, they were arrested on 21.09.2024 and are in custody since then.

3) Said Panbazar P.S. Case No. 288/2024 was handed over to the CBI and the matter was registered as CBI, EO-III, NEW DELHI, RC2212024E0013/2024.

4) Ms. G Deka, learned counsel for the petitioners submitted that considering the detention of the petitioners since 21.09.2024, the petitioners have completed 91 days in custody and as such, they are entitled for default bail.

5) On the other hand, Mr. M Haloi, learned Special Public Prosecutor, CBI placed before the Court that the CBI, on 18.12.2024, has submitted the charge-sheet in said CBI, EO-III, NEW DELHI, RC2212024E0013/2024 case under Sections 120B/409/420/477(A) of the IPC read with Sections 61(2)/316(5)/318(4)/344/4 BNS, 2023 read with Sections 21(1)(2)(3)/23/25 of the Banning of Unregulated Deposit Scheme Act, 2019, vide charge-sheet No. 44 dated 18.12.2024 with list of documents, list of witnesses, list of articles and that the learned Special Judge (CBI), Assam, Additional Court No.-1 on 18.12.2024 itself have endorsed the said charge-sheet.

6) As such, it is seen that the charge-sheet has been filed on 18.12.2024 against the

petitioners, as noted above, the same being within the statutory period of time prescribed by law, the petitioners are not entitled for their default bail.

7) As the charge-sheet has been filed in the case, as mentioned above, the petitioners, named above, are directed to approach the appropriate forum for their regular bail in said CBI, EO-III, NEW DELHI, RC2212024E0013/2024 case, arising out of Panbazar Police Station Case No. 288/2024.

8) With the above observation and direction, this bail application stands closed.

JUDGE

Comparing Assistant