

GAHC010258162024



2024:GAU-AS:12924

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

Case No. : I.A.(Crl.)/1219/2024

GAUTAM BARUAH
S/O NUMAL CH. BARUAH R/O MAIBELIA GAON, P.O. GOHAINBARI
NAKACHARI, DIST. JORHAT, ASSAM PIN-785635

VERSUS

THE STATE OF ASSAM,
REP BY PP ASSAM

Advocate for the Petitioner : SAMSUL ALAM HUSSAIN, MR D J HALOI, G BORO, R
BARMAN, MS R.R. MECH

Advocate for the Respondent : REP BY THE PP, ASSAM,

Linked Case : AB/1253/2024

GAUTAM BARUAH
S/O NUMAL CH. BARUAH
R/O MAIBELIA GAON

P.O. GOHAINBARI NAKACHARI

DIST. JORHAT
ASSAM
PIN-785635

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP
ASSAM

Advocate for : MR. S A HUSSAIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

18/12/2024

Heard Mr. D. J. Haloi, learned counsel for the applicant/petitioner and Mr. K. K. Parasar, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending his arrest, the applicant as petitioner, namely, **Gautam Baruah**, son of Numal Ch. Baruah has filed an application under Section 438 CrPC on 13.05.2024 seeking pre-arrest bail in **Bongaigaon GRPS Case No. 53/2023** registered under Sections 120(B)/420/379/ 411/471 IPC corresponding to G.R. No.443/2023.

3. Earlier, the Court by order dated 24.05.2024, while calling for the case diary of said Bongaigaon GRPS Case No. 53/2023, granted interim bail to the said petitioner.

4. On 25.11.2024, the learned Additional Public Prosecutor, Assam submitted before the Court that police after completion of investigation of the case has already submitted the charge-sheet in said Bongaigaon GRPS Case No. 53/2023 vide Charge-Sheet No. 70/2024 dated 31.08.2024.

5. Accordingly, the Court by order dated 25.11.2024 passed in said AB No. 1253/2024 directed the applicant/petitioner of said anticipatory bail application to approach the appropriate forum/authority for his regular bail in said Bongaigaon GRPS Case No. 53/2023 corresponding to G.R. No.443/2023 **on or before 02.12.2024**, extending the interim bail granted to the applicant/petitioner earlier on 24.05.2024 in said Bongaigaon GRPS Case No. 53/2023 upto

02.12.2024, only.

6. The applicant, petitioner of said AB No. 1253/2024 has filed this application stating that 02.12.2024 was a State holiday on the occasion of Axom Divas (Sukafa Divas) and the District Courts were closed because of the said holiday.

7. In view of the above, said petitioner of AB No. 1253/2024 as applicant has filed this application on 02.12.2024 for extension of the date of his appearance before the appropriate forum for his regular bail in said Bongaigaon GRPS Case No. 53/2023 in terms of the order dated 25.11.2024 passed in said AB No. 1253/2024.

8. Mr. Parashar, learned Additional Public Prosecutor, Assam does not have any objection in extending the date of appearance of the applicant/petitioner, as 02.12.2024 is a State holiday.

9. Accordingly, the order dated 25.11.2024 passed in AB No. 1253/2024 is modified to the extent that the present applicant/petitioner of AB No. 1253/2024, namely, Gautam Baruah, son of Numal Ch. Baruah is directed to appear before the appropriate forum for his regular bail in Bongaigaon GRPS Case No. 53/2023 **on or before 23.12.2024** and the interim bail granted to the petitioner earlier on 24.05.2024 in said Bongaigaon GRPS Case No. 53/2023 is extended only up to 23.12.2024.

10. This order shall be read together with the order dated 25.11.2024 passed in AB No. 1253/2024.

11. With the above observation and direction, this Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant