

GAHC010263462024



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

Case No. : AB/3247/2024

RAJIB GOGOI AND ANR
S/O GOKUL CHANDRA GOGOI
R/O PADUM NAGAR,
NEAR ANIRUDDHA COLLEGE, P.S. DIBRUGARH
DIST. DIBRUGARH, ASSAM

2: JITEN BARUAH
S/O JUGADHAR BARUAH
R/O PADUM NAGAR
NEAR ANIRUDDHA COLLEGE

P.S. DIBRUGARH
DIST. DIBRUGARH
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY, MR. N MAHAJAN, MR. D BORA, MR. P K DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

10.12.2024

Heard Mr. A Chaudhury, learned counsel for the petitioners and Mr. R R Kaushik, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 482 of the BNSS,2023, the petitioners, namely, (1) Sri Rajib Gogoi and (2) Sri Jiten Baruah have prayed for pre-arrest bail who apprehend arrest in connection with Dibrugarh P.S. Case No. 462/2024.

On a plaint reading of the FIR, it can be presumed that nobody is allowed to park their vehicles in front of office of the Tai Educational and Cultural Centre, Bairagimath, Dibrugarh. On the day of occurrence, when the petitioner no. 1 parked his vehicle in front of that office, the Secretary of the said Association came in and, thereafter, they had an argument.

The Secretary of the said Association has alleged in the FIR that the present petitioners had assaulted him. It is further alleged that the petitioners had attacked an on duty Secretary of a public institution.

I have considered the submission made by the learned counsel for both sides.

This court is of the opinion that if the petitioners are not given the privilege of pre-arrest bail by this Court, it will be a mockery of justice. Therefore, the prayer for pre-arrest bail of the petitioners is allowed.

Accordingly, it is hereby directed that in the event of arrest of the petitioners, namely, (1) Sri Rajib Gogoi and (2) Sri Jiten Baruah, who apprehend arrest in connection with Dibrugarh P.S. Case No. 462/2024, the arresting authority shall release them on bail of Rs.10,000/- each with one surety of like amount to the satisfaction of the arresting authority.

The petitioners shall cooperate with the investigation as and when required.

The bail application is disposed of.

JUDGE

Comparing Assistant