

GAHC010275272024



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

Case No. : AB/3387/2024

KHIROD LASKAR AND ANR
S/O LATE AMAL LASKAR
R/O VILL NIZ NARIKALI (BORAGURI
P.S. KAMPUR
DIST. NAGAON, ASSAM

2: ENAMUL HOQUE
S/O MAINUL HOQUE
ROVILL- SEWGORI
P.S. KAMPUR
DIST. NAGAON
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 19.12.2024

Heard Mr. N. Mahajan, learned counsel appearing for the petitioners and Mr. D.P.

Goswami, learned Additional Public Prosecutor for the state of Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of PRC Case No. 1165 arising out of Raha P.S. Case No. 111/2021.

3. Both the petitioners are shown as absconders in the charge-sheet. Therefore, the petitioners have apprehended that if they appear before the Court of the learned Chief Judicial Magistrate, Nagaon, they will be remanded to custody because this Court has no jurisdiction to entertain their bail application.

4. Mr. Mahajan has submitted that the petitioners are interested in facing the trial.

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

6. This Court is of the opinion that since the petitioners are interested in facing the trial, for the ends of justice, they should be given one opportunity to that effect. Therefore, their bail application is allowed.

7. It is hereby directed that wherever the petitioners, Khirod Laskar & Enamul Hoque appear before the Court of the learned Chief Judicial Magistrate, Nagaon in connection with of PRC Case No. 1165 arising out of Raha P.S. Case No. 111/2021, they shall be released on bail of ₹25,000/- each with sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Nagaon.

8. With the aforesaid direction, the anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant