

GAHC010275712024



2024:GAU-AS:13034

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

Case No. : I.A.(Crl.)/1270/2024
in
AB No. 2329/2024

PRANAB DOLEY AND ANR
S/O LOKHI DOLEY VILL- PANBARI MISING GAON P.O. BOKAHHAT P.S.
BOKAKHAT DIST. GOLAGHAT, ASSAM PIN- 785612.

2: RAJIB PEGU
S/O BOJIYA PEGU
VILL- GARMUR GAON
P.O. LOKHOWJAN BAGICHA
P.S. BOKAKHAT
DIST. GOLAGHAT
ASSAM
PIN-78561

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR PARAM HANGKHA KONWAR, MR. D GOGOI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK
ORDER

20-12-2024

Heard Mr. S. Borthakur, learned counsel for the applicants/petitioners and Mr. B. Sarma, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending their arrest, the applicants as petitioners, namely, **(1) Pranab Doley**, son of Lokhi Doley and **(2) Rajib Pegu**, son of Bojiya Pegu have filed an application under Section 482 BNS on 22.08.2024 being AB No. 2329/2024, seeking pre-arrest bail in **Bokakhat Police Station Case No. 90/2024** registered under Sections 61(2)/196/308(2)/308(3)/329(4)/74 /351(2) of the BNS, 2023, corresponding to G.R. No.108/2024.

3. Earlier, the Court by order dated 05.09.2024, while calling for the case diary of said Bokakhat P.S. Case No. 90/2024, granted interim bail to both the petitioners, which was extended upto 28.11.2024.

4. On 28.11.2024, the learned Additional Public Prosecutor, Assam submitted before the Court that police after completion of investigation of the case submitted the charge-sheet in said Bokakhat P.S. Case No. 90/2024 vide Charge-Sheet No. 96/2024 dated 31.10.2024.

5. Accordingly, the Court by order dated 28.11.2024 passed in said AB No. 2329/2024 directed the petitioners of said anticipatory bail application, i.e., the applicants herein to approach the appropriate forum/authority for their regular bail in said Bokakhat P.S. Case No. 90/2024 corresponding to G.R. No.108/2024 **on or before 06.12.2024**, extending the interim bail granted to the applicants/petitioners earlier on 05.09.2024 in said Bokakhat P.S. Case No. 90/2024 upto 06.12.2024, only.

6. The applicants, petitioners of said AB No. 2329/2024 have filed this application stating that the applicant/petitioner No.1 was not available in Assam from 22.11.2024 upto 08.12.2024, as he went abroad, to participate in a Seminar on Indigenous Peoples Rights International organized by United Nations at Geneva. After he arrived in Assam on 08.12.2024 he had to hurriedly go back to Delhi on 12.12.2024 for his personal work and has

returned home on 14.12.2024.

7. Hence, this application by the petitioners of AB No. 2329/2024 as applicants filed on 19.12.2024 praying for extension of the date of their appearance before the appropriate forum for their regular bail in said Bokakhat P.S. Case No. 90/2024 in terms of the order dated 28.11.2024 passed in said AB No. 2329/2024.

8. Mr. Sarma, learned Additional Public Prosecutor, Assam does not have any objection in extending the date of appearance of the applicants/petitioners within a short date.

9. After hearing the parties and considering the entire aspect of the matter, the order dated 28.11.2024 passed in AB No. 2329/2024 is modified to the extent that the present applicants/petitioners of AB No. 2329/2024, namely, **(i) Pranab Doley**, son of Lokhi Doley and **(ii) Rajib Pegu**, son of Bojiya Pegu are directed to appear before the appropriate forum for their regular bail in said Bokakhat P.S. Case No. 90/2024 **on or before 21.12.2024** i.e., tomorrow and the interim bail granted to the petitioners earlier on 05.09.2024 in said Bokakhat P.S. Case No. 90/2024 is extended only up to 21.12.2024.

10. This order shall be read together with the order dated 28.11.2024 passed in AB No. 2329/2024.

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

JUDGE

Comparing Assistant