

GAHC010285592023



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

Case No. : AB/4245/2023

BOKTIAR SK @ BOKTIAR RAHMAN SHEIKH AND ANR
S/O LT. ASKER ALI
R/O KOIMARI PT.II
P.O. KOIMARI, P.S. GOLAKGANJ
DIST. DHUBRI, ASSAM

2: SUHAIL SK @ SOYEL SHEIKH
S/O SURAT JAMAL SK.
R/O KOIMARI PT.II
P.O. KOIMARI
P.S. GOLAKGANJ
DIST. DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR J ISLAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 05.01.2024

Heard Mr. J. Islam, learned counsel for the applicant. Also heard Mr. B.

Sarma, learned Addl. Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with Golakanj P.S. Case No. 241/2023 under Sections 147/149/353/333/393/394/506 of the IPC, this application under Section 438 Cr.P.C. has been preferred by the applicants, namely, Boktiar Sk @ Boktiar Rahman Sheikh and Suhail Sk @ Soyel Sheikh, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by one Dharmendra Kr. Das, Forest Range Officer on 11.05.2023.

4. Mr. B. Sarma, learned Addl. Public Prosecutor submits that though case diary was called for vide order dated 19.12.2023, yet he has not received the same and as per his instruction, the I.O. has completed investigation and submitted charge-sheet, No. 457/2023, dated 26.12.2023, under Sections 147/149/353/333/393/394/506 of the IPC.

5. In view of the submission of learned Advocates of both the parties, this Court is inclined to dispose of this application by directing the applicants to approach the learned Court below, by filing petition for granting regular bail. And in the event of filing such an application, the learned Court below shall consider the same in accordance with law.

6. In terms of the above, this application stands disposed of.

JUDGE

Comparing Assistant