

GAHC010220662024



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

Case No. : AB/2859/2024

MATHEW G MOMIN @ MITHIOUS SANGMA @ MITHIEW
S/O LT. THOSAN K. SANGMA, VILL- CHIMA APAL, P.S.-MENDIPATHAR,
DIST-MEGHALAYA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR F HAQUE, MR A ISLAM, MR. S K M ALOMGIR

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

30-10-2024

Heard Mr.F.Haque, learned counsel appearing for the petitioner and Mr. R.R.Kaushik, learned Additional Public Prosecutor, Assam appearing for the State.

2. This is an application filed under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioner, namely, **Mathew G.Momin @ Mithious Sangma @ Mithiew** in connection with GR Case No. 2748/2015, corresponding to Dudhnoi Police Station Case No. 157/2015, pending before the Court of learned Chief Judicial Magistrate, Goalpara.

3. The petitioner has been shown as an absconder in the case under different sections of the Indian Penal Code as well as of the Arms Act.
4. Since the petitioner has been shown as an absconder, he has apprehended that as the Court of learned Chief Judicial Magistrate, Goalpara, does not have the jurisdiction to entertain the bail application of the petitioner, he may be remanded to the judicial custody.
5. I have considered the submissions made by both the learned counsels for the parties.
6. Since the petitioner is interested in facing the trial, this Court is of the considered opinion that the petitioner does not deserve to be detained in custody. Hence, the prayer of the petitioner for his pre-arrest bail is allowed.
7. Accordingly, it is hereby directed that the petitioner shall appear before the Court of learned Chief Judicial Magistrate, Goalpara on 05.11.2024 in respect of said GR Case No. 2748/2015.
8. On his such appearance, the petitioner, i.e., **Mathew G.Momin @ Mithious Sangma @ Mithiew**, shall be released on bail on furnishing a bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Goalpara.
9. With the aforesaid directions, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant