

GAHC010044662024



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

**Case No. : Crl.Pet./240/2024**

K RANJAN SINGHA  
SON OF K. SATRA SINGHA, RESIDENT OF VILLAGE- BANTARAPUR, P.O.  
SUNDARI, P.S. KOCHUDARAM, DISTRICT- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR  
REPRESENTED BY P.P., ASSAM

2:SRI BIKROM TIMUNG  
SON OF BABURAM TIMUNG  
R/O- VILLAGE- TICHOM GAON  
P.O. LONGIT  
P.S. BAKALIA  
DISTRICT- KARBI ANGLONG  
ASSAM  
PIN- 78248

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

**Advocate for the Respondent** : PP, ASSAM, SAMIM RAHMAN (R-2),MR S A BARBHUYAN (R-  
2),MR. SURAJIT DAS (R-2),A W AMAN (R-2),MS SURAYA RAHMAN (R-2),MR SARFRAZ  
NAWAZ (R-2)

**BEFORE  
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**12.02.2026**

Heard Mr. A. Chaudhury, learned counsel for the petitioner. Also heard Mr. P.N. Goswami, learned Additional AG, Assam and Mr. K. Baishya, learned Addl. Public Prosecutor for the respondent No. 1 and Mr. S. Nawaz, learned counsel for the respondent No. 2.

By this application, the petitioner has challenged the Order dated 06.02.2024 passed by the learned Sessions Judge, Karbi Anglong, Diphu in connection with Bail Application No. 7/2024, arising out of Manja Police Station Case No. 44/2023. The petitioner has prayed for quashing of the said order which is passed by the learned Court as mentioned above in the Bail Application, whereby it is directed to initiate a departmental proceeding against the Investigating Officer and the direction was given to the District S.P to change the Investigating Officer of the instant case. This direction was given only when the learned Court found out that one of the principal witnesses was not examined by the Investigating Officer.

Mr. A. Chaudhury, learned counsel for the petitioner challenges the said order on the ground that the learned Court had no jurisdiction to pass such an order in a bail application while exercising powers under Section 439 of the Cr.PC.

However, Mr. P.N. Goswami, learned Additional AG for the respondent No. 1 submits that there is no bar in giving such direction by the learned Court, having found that investigation was not proceeding properly and the

Investigating Officer had not done his duty properly.

Mr. S. Nawaz, learned counsel for the respondent No. 2 has also submitted that the informant is prejudiced by the actions of the Investigating Officer and as such, he supported the Order dated 06.02.2024.

In order to see the entire gamut of the case, this Court finds it necessary that the scanned copy of the Case Diary may be called for.

It is stated at the bar that the Charge-sheet in the instant case has been submitted. Accordingly, the scanned copy of the Trial Court Record may be called for from the concerned Court where the aforesaid Charge-sheet is submitted in connection with Manja Police Station Case No. 44/2023.

Call for the scanned copy of the Trial Court Record alongwith the scanned copy of the Case Diary.

List the matter on **24.02.2026**.

**JUDGE**

**Comparing Assistant**