

GAHC010100772021



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

Case No. : Crl.A./122/2021

THE STATE, NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA, REPRESENTED BY THE
SUPT. OF POLICE, NIA, BRANCH OFFICE, GUWAHATI ASSAM

VERSUS

AKHIL GOGOI AND 3 ORS
S/O LATE BOLURAM @BOLU GOGOI RESIDENT OF LUKRAKHANGAON
SEINGHAT, PS TEOK, DIST JORHAT, ASSAM 785636

2:SHRI JAGJIT GOHAIN @ JAGAJIT GOHAIN
S/O RITU GOHAIN
RESIDENT OF TAKUBAM GAON
PS CHABUA
DIST DIBRUGARH
ASSAM 786184

3:SHRI BHASKARJIT PHUKAN @ SWAGADITYA PHUKAN @
SWARGADITYA PHUKAN
S/O ULESWER PHUKAN
RESIDENT OF PULUNGA GAON
PS CHABUA
DIST DIBRUGARH
ASSAM 786184

4:SHRI BHUPEN GOGOI
S/O LATE MOHAN GOGOI
RESIDENT OF PULUNGA GAON
PS CHABUA
DIST DIBRUGARH
ASSAM 78618

Advocate for the Petitioner : MR. R K D CHOUDHURY

Advocate for the Respondent : MS. P BORAH(R-1,2,3 & 4)

Linked Case : CrI.A./121/2021

THE STATE
NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
GOVT. OF INDIA
REPRESENTED BY THE SUPT. OF POLICE
NIA
BRANCH OFFICE
GUWAHATI ASSAM

VERSUS

AKHIL GOGOI AND 3 ORS
S/O LATE BOLURAM @BOLU GOGOI
RESIDENT OF LUKRAKHANGAON SEINGHAT
PS TEOK
DIST JORHAT
ASSAM 785636

2:SHRI DHIRJYA KONWAR @ DHAIJA KONWAR @ DHAJYA KONWAR
S/O NIREN KONWAR
R/O RUPAHIBAM GAON
PS DEMOW
PO UDAIPUR
DIST SIVASAGAR
ASSAM 785640

3:SRI MANAS KONWAR @ MANASH PRATIM KONWAR @
S/O DEBEN KONWAR @ DEVENDRA NATH KONWAR
RESIDENT OF CHETIA HANDIQUE
PO SILASAKU
PS SIMALGURI
DIST SIVASAGAR
ASSAM
785640

4:SHRI BITTU SONOWAL @ BITTU SONWAL @ BITU SONOWAL
S/O ROBIN SONOWAL
RESIDENT OF ASHOK NAGAR
NEAR 2ND AP BN. PS MAKUM

DIST TINSUKIA
ASSAM 786125

Advocate for : MR. R K D CHOUDHURY

Advocate for : MS. P BORAH (R-2

3

4) appearing for AKHIL GOGOI AND 3 ORS

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 01/04/2022

Suman Shyam, J

Heard Mr. D. Saikia, learned senior counsel assisted by Mr. N. Satyanarayan, learned PP, NIA ; Mr. R.K.D. Choudhury, learned ASGI and Mr. M.Phukan, learned PP, Assam, appearing for the appellant NIA. We have also heard Mr. R. Sensua and Mr. D. Bora, learned counsel appearing for the respondents.

Mr. Saikia has addressed elaborate arguments assailing the validity of the impugned order dated 01/07/2021 passed by the learned NIA Court discharging the respondents/accused persons. Mr. Sensua submits that his senior Mr. K.N, Choudhury, learned senior counsel, will argue the matter on behalf of the respondents but he is presently out of station. As such, a prayer has been made to adjourn these matters for a week.

Taking note of the request made by the respondents' counsel and keeping in view the ensuing Bihu vacation, we direct the Registry to list these matters again on 19/04/2022 as fixed part-heard matters.

JUDGE

JUDGE

sukhamay

Comparing Assistant