

GAHC010115522020



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

Case No. : I.A.(Civil)/1392/2020

UDAY SHANKAR KURI
S/O- LT HAR CHANDRA KURI, R/O- VILL- TOLIBAR PAR, DHING TOWN,
MOUZA- DHING, P.O. DHING, P.S. DHING, DIST- NAGAON, ASSAM, PIN-
782123

VERSUS

THE UNION OF INDIA AND 5 ORS.
REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF HOME, NEW
DELHI- 110001

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GHY-06

3:ELECTION COMMISSION OF INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

4:THE STATE CO-ORDINATOR OF NATIONAL REGISTER OF CITIZENS
ACHYUT PLAZA
G.S.ROAD
BHANGAGARH
GHY-5
ASSAM

5:SUPERINTENDENT OF POLICE (B)
DIST- NAGAON

ASSAM
PIN- 782001

6:THE DY. COMMISSIONER
DIST- NAGAON
ASSAM
PIN- 78200

Advocate for the Petitioner : MR. J ROY, MR. C CHAKRAVARTY

Advocate for the Respondent : ASSTT.S.G.I., SC, F.T,SC, NRC,SC, ELECTION COMMISSION.

Linked Case : WP(C)/2622/2019

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Advocate for : MR. J ROY
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 31.03.2026
(K.R. Surana, J)

Heard Mr. C. Chakraborty, the learned counsel for the applicant. Also heard Ms. B. Sarma, learned CGC; Ms. M. Singha, learned counsel appearing on behalf of Mr. A. I. Ali, learned standing counsel for the ECI; Mr. J. Payeng, learned standing counsel for the FT matters and NRC; and Mr. P. Sarmah, learned Additional Senior Govt. Advocate for respondent.

2. By filing this Interlocutory Application, the applicant is seeking exemption from appearing before the Officer-in-Charge, Dhing Police Station of every 15 days.

3. It is stated that this Court by order dated 26.04.2019 passed in WP(C) 2622/2019, while granting bail, granted 15 days' time from the date of the order to furnish the bail bond. However, without any direction of the Court, the Officer-in-Charge, Dhing Police Station is requiring appearance of the applicant after every 15 days.

4. It is also projected that as per the said order of this Court, the applicant had appeared before the Superintendent of Police, Border (Nagaon), but he was directed to appear before the Officer-in-Charge of Dhing Police Station to submit bail bond.

5. In this regard, this Court by order dated 26.04.2019, passed in 2622/2019, had directed the applicant to appear before the Superintendent of Police, Border (Nagaon). Once again the Court directs the applicant to appear before the Superintendent of Police, Border (Nagaon) within 15 days from the date of this order and produce a certified copy of this order.

6. Upon production of a certified copy of the order, the Superintendent of Police, Border (Nagaon) (respondent no.5) shall satisfy himself as to whether the bail bond furnished by the applicant in terms of the order dated 26.04.2019, has been accepted by the Officer-in-Charge of Dhing Police Station.

7. In case the petitioner's bail bond has been accepted, then there will be no requirement for the petitioner to appear before Dhing Police Station.

8. For the purpose of the compliance of the order dated 26.04.2019, passed by this Court, the Court further directs the petitioner to again appear before the Superintendent of Police (Border), Nagaon within 15 (fifteen) days

from today during the office hours and shall furnish a fresh bail bond of Rs.5,000/- (Rupees Five thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Nagaon is directed that on appearance of the applicant within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the applicant shall be obtained, whereafter, he shall be allowed to remain on bail.

9. On his appearance before the Superintendent of Police (Border), Nagaon, as directed above, the said authority shall obtain necessary information and documentation as required.

10. After the bail bond is accepted by the Superintendent of Police (Nagaon), the said authority shall do the needful for discharge of the bail bond, which is stated to have been executed before the Officer-in-Charge of the Dhing Police Station. As this Court had not directed the applicant to appear before the Officer-in-Charge of the Dhing Police Station every 15 days, the said condition shall not be insisted upon by the Superintendent of Police (Nagaon).

11. This Interlocutory Application stands disposed of, in terms of the above directions.

JUDGE

JUDGE

Comparing Assistant