

GAHC010283892025



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

Case No. : Crl.Rev.P./534/2025

BISWAJIT SAIKIA
S/O- LATE ROBIN SAIKIA,
R/O- JYOTI NAGAR, P.O AND P.S- SILAPATHAR, DIST- DHEMAJI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR B DEORI, MR A KHANIKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 19.12.2025

Heard Mr. A. Khanikar, learned counsel for the petitioner and Ms. A. Begum, learned Additional Public Prosecutor for the respondent State of Assam.

2. The petitioner has preferred this criminal revision petition against an Order dated 21.11.2025 passed by the Court of Additional Chief Judicial

Magistrate, Dhemaji in Petition no. 312/2025 filed by the petitioner in connection with G.R. Case no. 404/2025. By the impugned Order dated 21.11.2025, the petitioner's application for custody of a fire arm viz. 7.65 mm pistol has been rejected on the ground that the same would be required for the purpose of proper investigation.

3. Issue notice, returnable on 19.01.2026.

4. As Ms. Begum, learned Additional Public Prosecutor has appeared and accepted notice on behalf of the respondent, issuance of formal notice to the respondent is dispensed with. However, extra copy of the criminal petition along with annexures are to be furnished to Ms. Begum within 2 [two] working days from today.

5. The learned Additional Public Prosecutor shall obtain a report from the I.O. of Silapathar Police Station Case no. 176/2025 as regards necessity of retaining the custody of the fire arm in question along with justifications to place the same on the next date of listing.

JUDGE

Comparing Assistant