

GAHC020004192023



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

Case No. : I.A.(Crl.)/14/2023

RAJDIP BHUYAN
S/O LATE LAKHI BHUYAN,
R/O H.NO.-48, ANANDA NAGAR, SIXMILE, DIST-KAMRUP(M), ASSAM-781022

VERSUS

THE STATE OF NAGALAND
KOHIMA NAGALAND

Advocate for the Petitioner : I H SAIKIA

Advocate for the Respondent : P.P, NAGALAND

Linked Case : AB/30/2023

RAJDIP BHUYAN
MANAGING DIRECTOR
M/S PLANCRAFT. H/NO-48
1ST
2ND AND 3RD FLOOR
AXIS BANK
BY-LANE NO.2
6TH MILE
KAMRUP(M) ASSAM-781002

VERSUS

THE STATE OF NAGALAND
KOHIMA NAGALAND

Advocate for : MOA JAMIR
Advocate for : P.P
NAGALAND appearing for THE STATE OF NAGALAND

**BEFORE
HONBLE MR JUSTICE KARDAK ETE**

ORDER

Date : 24-08-2023

Heard Mr. I. H. Saikia, learned counsel for the applicant. Also heard Mr. V. Zhimomi, learned Public Prosecutor, Nagaland.

By filing this application the applicant Rajdip Bhuyan prays for extension of the period for appearing before the Investigating Officer as directed by this Court on 04.08.2023.

This Court, on 04.08.2023 has directed the accused/applicant Shri Rajdip Bhuyan to appear before the Investigating Officer of East PS Case No. 142/2023 within a period of 10 (ten) days from the date of the order and to cooperate in the investigation. If he does so within the stipulated period of time, in the event of his arrest in connection with East PS Case No. 14/2023 he was allowed to go on interim bail of ₹30,000/- (Rupees Thirty Thousand) to the satisfaction of the arresting authority.

Mr. I.H. Saikia, learned counsel for the applicant submits that the applicant is suffering from various ailments and he has been advised to avoid travelling by 2-wheelers and to take bed rest for one month by the doctor, for which he prays for extension for further time for appearing before the Investigating Officer,

preferably by 1 (one) month.

Mr. V. Zhimomi, learned Public Prosecutor has referred to the case report submitted by the Investigating Officer and submits that as per the records the applicant/accused is fit and sound. He submits that the applicant has not complied with the notice under Section 41A of CrPC, 1973 and is absconding for which bail cannot be granted to such an absconding accused.

I have considered the submissions of the learned counsel for the parties and also perused the materials available on record. Considering that the applicant has filed CrI. Pet./18/2023 for quashing of the FIR as well as non-bailable warrant issued by the concerned court, that this Court has stayed the non-bailable warrant of arrest in the Criminal petition, and coupled with the submissions of the learned counsel for the applicant that the applicant/accused is suffering from various ailments, this Court deems it fit to grant another 10 (ten) days time to appear before the Investigating Officer on the same terms and conditions as directed and ordered by this Court on 04.08.2023. It is made clear that if the accused/applicant fails to appear as directed hereinabove this order dated 04.08.2023 stands automatically cancelled.

I.A. stands disposed of.

Sd/-
JUDGE

Comparing Assistant