

GAHC040003952024



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

Case No. : AB/60/2024

Deepak Kumar Jain
aged about 43 years, Son of Kamal Jain, resident of village Uparhali Town, Bijay
Nagar, P.S Palashbari, District Kamrup (R) Assam

VERSUS

THE STATE OF AP
represented by the PP of AP

Advocate for the Petitioner : D Gogoi

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 28-06-2024

Heard Mr. R. L. Thungon, learned counsel for the petitioner.
Also heard Ms T. Jini, learned Additional Public Prosecutor for the
State.

2. The petitioner filed this bail application under Section 438 of the Code of Criminal Procedure, 1973, praying for grant of pre-arrest bail apprehending his arrest in connection with Itanagar P.S. Case No.220/2023, under Section 120(B)/420 IPC.

3. By an Order dated 19.03.2024, while calling for the case diary, the accused applicant was protected by an interim order directing that in the event the accused applicant being arrested in connection with the above Itanagar P.S. Case No.220/2023, the arresting authority shall release him on execution of bail amount of Rs.50,000/- with one surety of like amount to the satisfaction of the arresting authority.

4. It is submitted that the accused applicant, thereafter, has appeared before the I.O. of the case on 03.06.2024 and on his appearance, the I.O of the case has examined and recorded his statement under Section 161 Cr.P.C.

5. The learned Additional Public Prosecutor has produced the case diary and I have perused the same.

6. As per the record, the accused applicant has appeared before the I.O. of the case and given his statement under Section 161 Cr.P.C. However, there is no record of accused having arrested on his appearance. It appears that the accused is not required to be

arrested in the case.

7. Since, the accused applicant has already appeared before the I.O of the case and cooperating with the investigation of the case, the learned Additional Public Prosecutor has no objection, if the interim bail granted to the applicant is made absolute in terms of the interim anticipatory bail order dated 19.03.2024.

8. In view of the above, the interim order granted to the accused applicant on 19.03.2024, is hereby regularised and made absolute in same terms and conditions.

9. This bail order shall be read along with the bail order dated 19.03.2024.

10. With the above observation, this bail application stands closed.

Return the case diary.

JUDGE

Comparing Assistant