

GAHC040012812024



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

Case No. : AB/123/2024

Hengo Bam
Son of Late Bachi Bam, resident of New Dari Village, PO and PS Basar, Leparada
District, Arunachal Pradesh.

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Dugmar Kamduk, Bate Joel Koyu, Lokam Tadam, Mipe Ete, Kirpok Eshi

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 14.11.2024

Heard Mr. D. Kamduk, learned counsel for the accused applicant. Also heard Ms. L. Hage, learned Additional Public Prosecutor for the State respondent.

2. By an order dated 24.09.2024, while calling for the scanned copy of the Case Diary, this Court has granted interim anticipatory bail to the accused

applicant, directing that in the event of arrest of the accused/applicant, *Shri Hengo Bam*, in connection with Basar P.S. Case No. 22 of 2024, under Sections 62/76/331(2)/331(4)/351(3) of the BNS, 2023, he shall be enlarged on interim pre-arrest bail on execution of bail bond of Rs. 25,000/- (Rupees twenty-five thousand) only with 2 (two) sureties of like amount to the satisfaction of the arresting authority, with certain conditions mentioned therein.

3. After obtaining the interim anticipatory bail, the accused applicant has appeared before the Investigating Officer of the case in connection with the above P.S. Case. On his such appearance, the I.O. of the case has arrested the accused applicant and thereafter, recorded his statement. And after completion of all the necessary procedures, the accused was released on bail on the strength of the interim anticipatory bail granted to the accused on 24.09.2024 on execution of bail bond of Rs. 25,000/- with 2 (two) sureties of like amounts.

4. The learned counsel for the applicant submits that since the accused has already been arrested and released on bail, this bail application has become *infructuous*. Hence, prays for regularization of the interim anticipatory bail granted to the accused on 24.09.2024.

5. Ms. Hage, learned Additional Public Prosecutor while referring to the Case Diary and the Status report, has also submitted that after obtaining interim anticipatory bail, the accused has appeared before the I.O. of the case and on his such appearance, he was arrested and released on bail on execution of the bail bond on the strength of the interim anticipatory bail granted to him on 24.09.2024. She has also submitted that since the accused has already been arrested and released on bail, this bail application may be disposed of accordingly.

6. Heard the learned counsels for both the parties and also perused the Case Diary as well as the Status Report produced by the Additional Public Prosecutor. The record reveals that after obtaining the interim anticipatory bail, the accused appeared before the I.O. of the case and on his such appearance, he was arrested and after recording his statement and completion of other formalities, the accused was released on bail on execution of the bail bond on the strength of the interim anticipatory bail granted to him on 24.09.2024. The record also reveals that the case has already been submitted into charge-sheet and the custodial interrogation of the accused applicant is no more required.

7. In view of the above and as the accused applicant has already been arrested and released on bail on execution of bail bonds, this bail application has become *infructuous*.

8. Accordingly, the interim anticipatory bail granted to the accused on 24.09.2024, is hereby regularized and is made absolute with the same terms and conditions and with further condition that the accused applicant shall appear before the trial Court as and when called for.

9. This bail order shall be read along with the bail order dated 24.09.2024.

10. With the above observation, this bail application stands disposed of.

JUDGE

Comparing Assistant