

GAHC010003862024



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

Case No. : AB/65/2024

ABDUL RAHIM
S/O ALEP KHA, R/O VILL- NO. 1 SHYAMPUR, P.S.-SHYAMPUR, P.O.-
DALGAON, DIST-DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D SARMAH

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

08.02.2024

Heard Mr. D. Sarmah, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 438 of the Code of Criminal Procedure, for grant of pre-arrest bail to the accused petitioner, who is apprehending arrest in connection with Shyampur P.S. Case No. 38/2023, under Sections 447/326/ 379/427 of the Indian Penal Code.

Mr. P. Borthakur, learned Additional Public Prosecutor, submits that though the case was listed today for production of the Case Diary before this Court, but the I.O. has already filed Charge-Sheet in this case, vide Charge-Sheet No. 46/2023, dated 31.12.2023.

In this context, Mr. D. Sarmah, learned counsel for the petitioner, submits that they want to move an application for regular bail before the learned Trial Court and that the petitioner will appear before the learned Court below and will participate in the trial.

Considering the submissions of learned counsels for both sides and also considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No. 46/2023, dated 31.12.2023, it is provided that the petitioner shall appear before the learned Court below within 15 (fifteen) days from today and on his appearance and on his filing a petition for grant of regular bail, the learned Court below shall

consider the same in accordance with law.

In terms of above, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant