

GAHC010005652024



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

Case No. : I.A.(Crl.)/38/2024

DIPEN MITRA
S/O LATE ABANI MOHAN MITRA
R/O SONARIBALI WARD NO. 2,
P.S. SAMAGURI,
P.O. SAMAGURI,
DIST. NAGAON, ASSAM,
PIN-782410

VERSUS

THE STATE OF ASSAM,
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MS. T SOM

Advocate for the Respondent : PP, ASSAM

IN AB/3552/2023

DIPEN MITRA
S/O LATE ABANI MOHAN MITRA
R/O SONARIBALI WARD NO. 2

P.S. SAMAGURI
P.O. SAMAGURI
DIST. NAGAON

ASSAM
PIN-782410

VERSUS

THE STATE OF ASSAM
REP. BY THE PP
ASSAM

Advocate for : MS. T SOM
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

19.02.2024

Heard Ms. T. Som, learned counsel for the applicant. Also heard Ms. N. Das, learned Additional Public Prosecutor appearing for the State of Assam.

This Interlocutory Application has been filed by the petitioner, namely, Dipen Mitra, praying for modification of order dated 20.12.2023 passed in A.B. Case No. 3552/2023, whereby the anticipatory bail filed by the petitioner was disposed of becoming infructuous.

The petitioner has prayed for alteration/modification of the aforesaid order by making an observation that the petitioner may appear before the trial court and on his appearance, the petitioner may be given the liberty for filing application for bail and consideration of the same.

The order sheet of the A.B. Case No. 3552/2023, dated 20.12.2023 shows that on that day, learned counsel for the applicant had appeared before this

court as well as learned Additional Public Prosecutor also appeared, who had informed this court that the charge-sheet was laid in the said case and considering the facts of the laying of charge-sheet, the anticipatory bail application was disposed of becoming infructuous.

The prayer made today by the learned counsel for the applicant, if conceded to, would amount to review of the order dated 20.12.2023, by this court and such a review by a criminal court is not permissible under law.

Therefore, this Interlocutory Application is dismissed.

JUDGE

Comparing Assistant