

GAHC010006402024



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

Case No. : AB/190/2024

ANIL MUCHAHARY
S/O GANAKTA MUCHAHARY
R/OLALMATI
P.S. BASISTHA
DIST. KAMRUP (M), ASSAM, PIN-781029

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. N DUBEY, MS M AHMED, MS. M DAIMARY

Advocate for the Respondent : PP, ASSAM,

B E F O R E
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

20.08.2024

None appears for the petitioner when the matter is called.

2. Heard Mrs. N. Das, learned Addl. Public Prosecutor for the State respondents.

3. This is an application under Section 438 of CrPC, 1973 praying for grant of pre-arrest bail to the accused/petitioner i.e. Anil Muchahary, who is apprehending arrest in connection with Garchuk PS Case No. 324/2023 registered u/s 120B/467/468/447/427/379 of IPC.
4. The Case Diary called for is placed before this Court.
5. Pertinent that by Order dated 09.02.2024, this Court had granted interim pre-arrest bail to the petitioner subject to conditions thereof.
6. The learned Addl. PP submits that the petitioner has not appeared before the Investigating Officer in terms of the Order dated 09.02.2024. She further submits that there are adverse materials available against the petitioner in the Case Diary.
7. I have perused the material available in the Case Diary.
8. It appears that there are adverse materials available in the Case Diary against the petitioner as well as against the antecedent of the petitioner as regards involvement of the petitioner in similar offences.
9. It further appears that the petitioner is not cooperating with the investigation and has also not appeared before the Investigating Officer in terms of the interim pre-arrest bail granted earlier by this Court. As such, this Court is not inclined to grant the pre-arrest bail as prayed for.
10. Accordingly, the interim pre-arrest bail granted by this Court Order dated 09.02.2024 stands vacated.

Anticipatory Bail Application stands rejected.

Disposed of.

JUDGE

Comparing Assistant