

GAHC010017412024



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

Case No. : AB/206/2024

MD. ABDUL RAHMAT
RESIDENT OF SATGAON PUKHURIPARA P.O. UDAYAN VIHAR GUWAHATI
DIST KAMRUP (METRO) ASSAM
PH. 8638182982

VERSUS

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

Advocate for the Petitioner : MR. N ALAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 22.02.2024

Heard Ms. B. Jain, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

On 20.02.2024, the learned Additional Public Prosecutor, Mr. D. Das, had

submitted that the last date of entry in the Case Diary was on 04.01.2024 and till then, there was no note from the I.O. as to whether the present accused/petitioner was searching in connection with this case and accordingly, the matter was directed to be listed today enabling the learned Additional Public Prosecutor to get instruction from the I.O. concerned as to whether the present petitioner is required in connection with the investigation of this case. However, it is submitted by Mr. Borthakur, that after taking instruction from the I.O., it is seen that the present accused/petitioner is not searched in this case and there is no any whisper against the present accused/petitioner nor there is any materials collected by the I.O. showing his involvement in alleged offence. Accordingly, it is submitted there could not be any apprehension of arrest of the accused/petitioner in connection with this case and as such, the present petition is not maintainable.

After hearing the submissions made by the learned Additional Public Prosecutor, it is seen that till date, there is no apprehension of arrest of the present accused/petitioner in connection with the present case as from the note of the I.O. as well as from the materials in the Case Diary, there is no allegation brought against the present accused/petitioner till date. Accordingly, I do not find any reason to pass any order on pre-arrest bail and hence, the present anticipatory bail application stands disposed of being not maintainable.

JUDGE

Comparing Assistant