

GAHC010019042024



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

Case No. : AB/232/2024

PARIMAL ACHARJEE
S/O LATE RANADA RANJAN ACHARJEE
R/O 04/54, WARD NO. 4, MADHUBAN GP, P.S. AMTALI,
AGARTALA,
WEST TRIPURA, PIN-799003.

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. D CHAKRABARTY

Advocate for the Respondent : PP, ASSAM

B E F O R E
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

09.02.2024

1. Heard Mr. D.K. Chakrabarty, learned counsel appearing for the petitioner as well as Mr. M.P. Goswami, learned Additional Public Prosecutor for the State respondent.
2. The petitioner, namely, Parimal Acharjee, has filed this application under Section 438 Cr.P.C with prayer for pre-arrest bail as he is apprehending arrest in connection with STF P.S. Case No. 16/2023, registered under Section 279 of the Indian Penal code, 1860 r/w section 22 (C) of the NDPS Act, 1985.
3. It is submitted on behalf of the petitioner that he is in no way connected with this case. It is submitted that a notice has been issued under Section 160 Cr.P.C against the petitioner in a manner which appears that the petitioner has to co-operate with the interrogation by the police in connection with the aforementioned case. This is the reason why the petitioner is apprehending arrest. It is also submitted that the petitioner is not the owner of the Bharatbenz Truck B/R No. RJ11GB 0508. The owner of the said truck is also not known to the petitioner.
4. It is submitted by the learned Addl. P.P. that only notice has been issued under Section 160 Cr.P.C against the petitioner as a witness and there is no apprehension that the petitioner may be arrested.

5. I have considered the submissions at the Bar. It appears that there is no apprehension that the petitioner may be arrested in connection with the aforementioned case, so petition with prayer for anticipatory bail stands rejected at this stage.

6. With the above observation and direction, this petition stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant