

GAHC010031412024



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

Case No. : AB/354/2024

RAKESH KUMAR JAIN
S/O SRI PADAM KUMAR JAIN,
RESIDENT OF 3RD FLOOR MANIPUR ELECTRICAL BUILDING, THANGAL
BAZAR, IMPHAL, MANIPUR, 795001

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. RAJIV BORO

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

02.05.2024

Heard Mr. C. Boruah, learned counsel for the petitioner and Mr. B.B. Gogoi, learned Additional Public Prosecutor for respondent State of Assam.

2. By this application under Section 438, Code of Criminal Procedure, 1973 [CrPC], the

petitioner viz. Sri Rakesh Kumar Jain has approached this Court seeking the benefit of pre-arrest bail, apprehending his arrest, in connection with Tezpur Police Station Case no. 980/2023 registered under Section 363 of the Indian Penal Code [IPC].

3. The First Information Report [FIR] was lodged by one Mrs. Sweta Jain on 09.12.2023 who is incidentally the wife of the petitioner. The allegation made in the FIR was to the effect that the petitioner had allegedly kidnapped her son, aged about 7 years and a student of Class-II of Don Bosco High School. The petitioner is the father of the alleged kidnapped minor.

4. The petitioner was extended interim protection by an order dated 16.02.2024 with the further direction to him to appear before the Investigating Officer [I.O.] of the case.

5. Mr. Gogoi, learned Additional Public Prosecutor has submitted, on instruction, that the I.O. of the case after completion of investigation in connection with Tezpur Police Station Case no. 980/2023, has submitted a final report.

6. In view of submission of final report in connection with Tezpur Police Station Case no. 980/2023 which was registered on the basis of the FIR lodged by the wife of the petitioner, there is no necessity to proceed further with the instant application and accordingly, the same stands closed.

JUDGE

Comparing Assistant