

GAHC010035102023



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

Case No. : Crl.Pet./194/2023

ARMOL HUSSAIN CHOUDHURY
S/O LT. ALAUDIN CHOUDHURY
R/O BHAKATPUR
P.S. SILCHAR
DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 8 ORS.
TO BE REP. BY THE PP, ASSAM

2:BURHAN UDDIN LASKAR
S/O MUSKANDAR ALI LASKAR
R/O 2ND LINK ROAD

MAIN ROAD
P.S. SILCHAR
DIST. CACHAR
ASSAM

3:KHUKON LASKAR
S/O MUSKANDAR ALI LASKAR
R/O 2ND LINK ROAD

MAIN ROAD
P.S. SILCHAR
DIST. CACHAR
ASSAM

4:REHAN UDDIN LASKAR
S/O MUSKANDAR ALI LASKAR
R/O 2ND LINK ROAD

MAIN ROAD
P.S. SILCHAR
DIST. CACHAR
ASSAM

5:ISLAM UDDIN LASKAR
S/O MUSKANDAR ALI LASKAR
R/O 2ND LINK ROAD

MAIN ROAD
P.S. SILCHAR
DIST. CACHAR
ASSAM

6:SEBUL AHMED BORBHUIYA
S/O ANOR ALI
R/O MEHERPUR PASGURI
P.S. SILCHAR
DIST. CACHAR
ASSAM

7:REBUL AHMED BORBHUIYA
S/O ANOR ALI
R/O MEHERPUR PASGURI
P.S. SILCHAR
DIST. CACHAR
ASSAM

8:MUJIB UDDIN BORBHUIYA
S/O LT. NERA MUNCHI BORBHUIYA
R/O MEHERPUR PASGURI
P.S. SILCHAR
DIST. CACHAR
ASSAM

9:AFTAB UDDIN BORBHUIYA
S/O LT. NERA MUNCHI BORBHUIYA
R/O MEHERPUR PASGURI
P.S. SILCHAR
DIST. CACHAR
ASSA

Advocate for the Petitioner : MR H KALITA,

Advocate for the Respondent : PP, ASSAM, MR. J ABBAS (R-2 to 9),MR. I U CHOWDHURY (R-2 to 9),MR S A BARBHUYAN (R-2 to 9)

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

30-08-2024

No representation on behalf of the petitioner on call, though name of the counsel for the petitioner has been reflected in the cause list.

Heard Mr. K Baishya, learned Additional Public Prosecutor, Assam for the State respondent No. 1 as well as Mr. J Abbas, learned counsel appearing on behalf of Mr. S A Barbhuyan, learned counsel for the respondent Nos. 2 to 9.

The petitioner as an informant lodged a written Ejahar before the Officer-in-Charge of Silchar Police Station on 22.01.2023 against the accused persons for causing grievous injury to him, on the basis of which Silchar Police Station Case No. 156/2023 under Sections 143/341/326/307 IPC was registered against the respondent Nos. 2 to 9.

Subsequently, the accused persons of the case, i.e., the present respondent Nos. 2 to 9 filed Anticipatory Bail Application under Section 438 CrPC in said Silchar P.S. Case No. 156/2023.

The learned Assistant Sessions Judge No. 1, Cachar, Silchar considering the nature of the offence, nature of the injury sustained by the victim, the materials available in the case diary and also considering the fact that there exists civil dispute between the parties, by order dated 08.02.2023 passed in Criminal Misc. Case No. 70/2023 and Criminal Misc. Case No. 98/2023 granted pre-arrest bail to the respondent Nos. 2 to 9.

Aggrieved, the petitioner/complainant filed this criminal petition for quashing the orders dated 08.02.2023 passed by the learned Assistant Sessions Judge No. 1, Cachar, Silchar in Criminal Misc. Case Nos. 70/2023 and 98/2023.

Order-sheet reflects that even on the last occasions, i.e., 24.07.2024, the petitioner remained un-represented on call.

Even today, when the matter was taken up for consideration, the petitioner remained un-

represented.

In view of the above, this criminal petition, stands dismissed for non-prosecution.

JUDGE

Comparing Assistant