

GAHC010043672024



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

Case No. : AB/530/2024

DHAIRJYA RAM DEKA AND ANR
S/O LATE BAHU RAM DEKA RESIDENT OF VILLAGE BORGAON, PO DORA
KOHRA, PS KAMALPUR, CHANGSARI, DIST KAMRUP R ASSAM

2: ASHOK DEKA
S/O DHAIRJYA RAM DEKA
RESIDENT OF VILLAGE BORGAON
PO DORA KOHRA
PS KAMALPUR
CHANGSARI
DIST KAMRUP R ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MD IMRAN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

06.05.2024

Heard Mr. S. H. Sikdar, learned counsel for the applicants. Also heard Mr. B. Sharma, learned Additional Public Prosecutor for the State respondent.

This application under Section 438 of the Code of Criminal Procedure, 1973 praying for grant of pre-arrest bail to the accused/applicants, who are apprehending arrest in connection with Bhangagarh P. S. Case No. 385/2022 under Sections 420/406/409/471 of the Indian Penal Code.

Mr. Sharma, learned Additional Public Prosecutor, submits that though the case was listed today for production of the Case Diary before this Court, but the I.O. has already filed Charge-Sheet in this case, vide Charge-Sheet No. 40/2024, dated 28.03.2024.

In this context, Mr. Sikdar, learned counsel for the applicants, submits that the present applicants are already on interim pre-arrest bail and hence their interim protection may be extended so that they can appear before the learned Trial Court seeking regular bail.

Considering the submissions of learned counsels for both sides and also considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No. 40/2024, dated 28.03.2024, it is provided that the applicants shall appear before the learned Court below within 10 (ten) days from today and on

their appearance and on their filing a petition for grant of regular bail, the learned Court below shall consider the same in accordance with law.

Till then, it is provided that the interim pre-arrest bail, granted to the accused/applicants by this Court vide order dated 01.03.2024, shall remain extended for another 10 (ten) days from today, enabling the applicants to appear before the learned Court below for filing fresh application for regular bail.

In terms of above, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant