

GAHC010045282024



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

Case No. : AB/567/2024

MRITUL BORAH
S/O- MAHESWAR BORAH, VILL- BISHNUPUR, GARUBANDHA, P.O.
MADHUPUR, P.S. NARAYANPUR, DISTRICT- LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : R L CHUTIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

15.03.2024

Heard Mr. A. Khanikar, learned counsel for the petitioner. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor, for the State respondent.

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for granting pre-arrest bail to the accused petitioner, namely,

i.e. Md. Mritul Borah, who is appending arrest, in connection with PRC Case No. 1221/2023, registered under Section 341/376 of the IPC.

It is submitted at the bar that in the meantime charge-sheet has been submitted vide C.S. No. 96/2021 dated 30.12.2021.

It is further submitted at the bar that trial has commenced and the next date is fixed, i.e. on 16.03.2024 for appearance of the accused person.

In view of the aforesaid submission, this court is of the considered view that this anticipatory bail application can be disposed of with the direction that the petitioner shall appear before the court of Chief Judicial Magistrate, Lakhimpur, North Lakhimpur, on the next date, i.e. 16.03.2024, and till then, he shall not be arrested.

It is needless to clarify that upon his appearance, the court of Chief Judicial Magistrate, Lakhimpur, North Lakhimpur, shall consider the prayer of bail on its own merit.

With the above observation, this anticipatory bail application is hereby disposed of.

JUDGE

Comparing Assistant