

GAHC010046852024



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

Case No. : Crl.Pet./263/2024

RUP KUMAR DAS
S/O LATE NANI GOPAL DAS, P/R/O RANI PUKHURI, WARD NO. 4, P.O.-
BHALUKMARI, P.S.-LANKA, DIST-HOJAI, ASSAM, PIN-782446

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

11.03.2024

Heard Mr. N. Ahmed, learned counsel for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State of Assam.

This is an application under Section 482 of the Code of Criminal Procedure, 1973 seeking for a direction to the learned Sub-Divisional Judicial

Magistrate, Hojai, Sankardev Nagar to release the accused petitioner on bail in the event of his appearance before the said court on 19.03.2024.

Mr.N. Ahmed, learned counsel for the petitioner submits that the petitioner apprehends that upon his appearance on 19.03.2024, he may be arrested and accordingly, seeks a direction for bail by filing a petition under Section 482 of the Code of Criminal Procedure.

Mr. D. Das, learned Additional Public Prosecutor submits that there is no merit in this petition and it is an absolute abuse of the court process.

I have heard the submissions made at the bar and have perused the materials available on record.

It appears from the order sheets of the Sub-Divisional Judicial Magistrate, Hojai, Sankardev Nagar that the petitioner, who was charge-sheeted for trial for offence under Section 120B/376/511/506 IPC, cognizance was taken by order dated 17.10.2022 and summons were issued.

Thereafter, it appears that on subsequent dates, i.e. on 12.06.2023, 24.08.2023, 21.11.2023 and 20.12.2023, the petitioner was absent with steps showing cause, which were allowed.

Further, it appears that the case is now fixed on 19.03.2024 for appearance.

In such circumstances, it appears that there is no merit in this petition seeking relief under Section 482 of the Code of Criminal Procedure.

Accordingly, the criminal petition stands dismissed.

JUDGE

Comparing Assistant