

GAHC010047612024



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

Case No. : AB/877/2024

RAKESH TAYE
S/O SRI HAKIM TAYE, R/O TONGANI GAON, SILAPATHAR, DHEMAJI, P.O.
AND P.S.-SILPATHAR, DIST- DHEMAJI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S SAHU

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

13.05.2024

Heard Mr. S. Sahu, learned counsel for the petitioner. Also heard Mr. P. Sharma, learned Additional Public Prosecutor for the State respondent.

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973, praying for grant of pre-arrest bail to the accused/petitioner, who is apprehending arrest in connection with Silapathar P. S. Case No.01/2024 under Section 376 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. 29/2024, dated 28.03.2024.

In this context, Mr. Sahu, learned counsel for the petitioner, submits that after obtaining the interim pre-arrest bail, the present petitioner appeared before the IO and co-operated with the investigation of the case and accordingly, he prays to extend his interim protection so that he 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. 29/2024, dated 28.03.2024, it is provided that the petitioner shall appear before the learned Court below within 15 (fifteen) days from today and on his appearance and on his 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/petitioner by this Court vide order dated 04.04.2024, shall remain extended for another 15 (fifteen) days from today, enabling the petitioner 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