

GAHC010061422024



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

**Case No. : AB/784/2024**

MOKIBUL ISLAM  
S/O AJGAR ALI, R/O VILL- KOKILA PART NO. 1, P.S.-ABHAYAPURI, P.O.-  
KOKILA, PIN-783392, DIST- BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner : MR M RANA**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE  
HONOURABLE MRS. JUSTICE MITALI THAKURIA  
ORDER**

**10.05.2024**

Heard Mr. M. Rana, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 438 of the Code of Criminal Procedure praying for grant of pre-arrest bail to the accused/petitioner, who is apprehending arrest in connection with Abhayapuri P.S. Case No. 19/2024, under Sections 341/326 of the Indian Penal Code.

The case was fixed today for production of Case Diary; however, it is submitted by the learned Additional Public Prosecutor, Mr. P. Borthakur, that the I.O. has already filed Charge-Sheet, vide Charge-Sheet No. 76/2024, dated 29.03.2024, and accordingly submitted that the present anticipatory bail application has become infructuous.

In this context, Mr. M. Rana, learned counsel for the petitioner, has submitted that till his appearance before the learned Court below, the petitioner may be provided with interim protection.

However, the prayer of the petitioner cannot be considered at this stage as the Charge-Sheet has already been filed.

In view of above, considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No. 76/2024, dated 29.03.2024, the accused/petitioner is

hereby directed to appear before the learned Court below with an appropriate application for bail, which shall be considered by the learned Court below in accordance with law.

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

**JUDGE**

**Comparing Assistant**