

GAHC010063272023



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

Case No. : AB/1081/2023

KAMRUL ISLAM MAZUMDER
S/O LATE ABDULJALIL MAZUMDER
R/O VILL- CHANDIPUR PART-IV, P.S. ALGAPUR
DIST. HAILAKANDI, ASSAM

VERSUS

THE STATE OF ASSAM
THROUGH THE PP, ASSAM

Advocate for the Petitioner : MR. M H LASKAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

10.01.2024

Heard Mr. M.H. Laskar, learned counsel for the petitioner. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor, appearing for the State of Assam, who submits that though the case diary was called for, however, the same has not yet been received and no reason has been shown by the

Investigating Officer for not sending the case diary.

It appears from record that by order dated 30.05.2023, the petitioner, namely, Kamrul Islam Mazumder was allowed to go on interim anticipatory bail after perusal of the case diary and it is submitted by the learned counsel for the petitioner that thereafter, the petitioner has appeared before the Investigating Officer and has co-operated in the investigation.

It also appears from record that this anticipatory bail application is pending before this Court since March 2023 and considering the long pendency of this anticipatory bail application due to repeated failure on the part of the prosecution to produce the updated case diary and FSL report as directed by this Court and compliance of the directions of the Court by the petitioner, this Court is disposing of this anticipatory bail application, by making the interim bail granted to the present petitioner, by order dated 30.05.2023, absolute with condition Nos. (ii), (iii) and (iv) attached to the said order remaining intact.

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

JUDGE

Comparing Assistant