

GAHC010068082024



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

Case No. : AB/891/2024

MABINUR RAHMAN
S/O LT. MOKIBUR RAHMAN, P.S.-MANGALDOI, R/O WARD NO. 4 ILAMPUR,
MANGALDOI, DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR S BORTHAKUR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 17.05.2024

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

This is an application 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 Mangaldoi P.S. Case No. 34/2024, under Sections 323/376/ 406/420/448/506 of the Indian Penal Code.

Case Diary has been received and I have perused the same.

It is submitted by Mr. S. Borthakur, learned counsel for the petitioner, that in pursuant to the order dated 04.04.2024, the present accused/petitioner has already appeared before the I.O. and his statement is also recorded under Section 161 Cr.P.C. and co-operated in the investigation of the case. He is still ready and willing to co-operate with the I.O. in the further investigation of this case if he is granted with the privilege of pre-arrest bail and therefore, it is prayed to make the interim pre-arrest bail order absolute.

In this context, Mr. B. Sharma, learned Additional Public Prosecutor, has submitted that the accused/petitioner is co-operating the I.O. in the investigation of the case and considering the materials available in the Case Diary, he submitted that he has no objection if the accused/petitioner is granted with the privilege of pre-arrest bail.

After hearing the submissions of learned counsels for both sides and also considering the materials available in the Case Diary, viz-a-viz the conduct of the accused/petitioner, I find it a fit case to extend the privilege of pre-arrest bail to

the accused/petitioner. Accordingly, the interim pre-arrest bail order dated 04.04.2024, is hereby made absolute in the same terms and conditions.

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

The Case Diary be sent back.

JUDGE

Comparing Assistant