

GAHC010069472024



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

Case No. : AB/946/2024

HAFIZUR ROHMAN @ BAPPI MIAH
S/O LT. SURUT ZAMAL
VILL- JHAWDANGA ARATGAON
P.S.MANKACHAR
DIST. SOUTH SALMARA MANKACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M MONDAL

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 06.05.2024

Heard Mr. M. Choudhury, 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, 1973 praying for grant of pre-arrest bail to accused/petitioner, who is apprehending arrest in connection with PRC Case No. 1419/2023 (arising out of Mankachar P.S. Case No. 231/2021, registered under Sections 120(B)/368/376 / 34 of the Indian Penal Code.

It is submitted by Mr. M. Choudhury, learned counsel for the petitioner, that the case has already been Charge-Sheeted showing the present accused/petitioner as an absconder. However, he is ready and willing to appear before the learned Court below and to contest the case if he is granted with the privilege of pre-arrest bail.

In this context, Mr. P. Borthakur, learned Additional Public Prosecutor, has submitted that the present accused/petitioner was shown as an absconder in the Charge-Sheet and even after the receipt of the summons from the Court, he did not appear before the learned Court below. However, a direction may be given to appear before the learned Court below with an appropriate application for bail.

Considering the submissions of learned counsels for both sides, the present petitioner is hereby directed to appear before the learned Court below within 10 (ten) from today 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