

GAHC010076772024



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

Case No. : AB/1003/2024

SUJOY DAS
S/O KRISHNA KANTA DAS, R/O R.K. MISSION ROAD, WARD NO. 15, P.O.-
BIDHYAPARA, P.S. AND DIST- DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B HALDAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 03-05-2024

- 1.** Heard Mr. B. Haldar, learned counsel for the petitioner.
- 2.** 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, namely, Sujoy Das who is apprehending arrest as an FIR has been lodged against him

with the police at Dhubri PS by the informant Mahua Sarkar.

3. The allegation against the petitioner is that the petitioner being Teacher of the informant's niece was closely acquainted with the informant's father who was suffering from dementia. The petitioner induced the informant's father to part with money which the informant's father received by selling a plot of land. The petitioner has also threatened the informant with dire-consequences.

4. Heard Mr. K. Baishya, learned Additional Public Prosecutor, Assam who has submitted that no case has been registered against the petitioner.

5. As no case has been registered against the petitioner, there appears to be no apprehension of arrest. The FIR alleged to be lodged on 24.03.2024 has not been registered by the police. There appears to be no justified ground to grant anticipatory bail to the petitioner without any FIR being lodged against the petitioner.

6. Petition with prayer for anticipatory bail stands rejected at this stage.

JUDGE

Comparing Assistant