

GAHC010085692024



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

Case No. : AB/1118/2024

ANTHONY HEMBROM
S/O PETOR HEMBROM,
R/O VILL- BALAJAN TINIALI, P.O. KOKRAJHAR, P.S. HALTUGAON,
DIST. KOKRAJHAR, BTAD, ASSAM, PIN-783370, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A LAL

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

10.05.2024

Heard Mr. K. Borah, learned counsel for the applicant and also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Apprehending arrest in connection with Gossaigaon P.S. Case No.64/2021, under

Section 387/34 IPC, this application under Section 438 Cr.P.C. is preferred by applicant, namely, Anthony Hembrom, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by WSI Rusmita Saikia of Gossaigaon P.S. on 21.04.2024. The essence of allegation made in the aforesaid FIR is that acting on a tip off, on 20.04.2024, at about 4:10 p.m. in the afternoon, the informant along with staff apprehended two persons, namely, Prasanta Hembrom and Nijam Sk, who were collecting money from the dumpers and recovered one book and also recovered a sum of ₹ 8,350/- and seized the same in presence of witnesses.

4. Mr. Borah, learned counsel for the applicant submits that the I.O. has in the meantime completed the investigation and submitted charge-sheet before this Court and as such, the applicant will approach the Trial Court for granting regular bail.

5. On the other hand, Mr. B. Sarma, learned Additional Public Prosecutor, Assam, also confirmed that after completion of investigation the I.O. has submitted charge-sheet, being Charge-Sheet No.58/2024, dated 30.04.2024.

6. In view of the submission of learned Advocates of both sides, this Court is inclined to dispose of this anticipatory bail application by directing the applicant to approach before the learned Trial Court and to apply for regular bail, provided the I.O. has submitted charge-sheet against the present applicant, and in the event of filing such an application, the learned Court below shall consider the same in accordance with law.

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

Sd/- Robin Phukan
JUDGE

Comparing Assistant