

GAHC010121972024



2024:GAU-AS:11303

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

Case No. : AB/1600/2024

RAJU DAS
S/O HARENDRA DAS, R/O GOLAGHATIA BASTI, NEAR POST OFFICE
GOLAGHATIA BASTI, P.O.-GOLAGHATIA BASTI, P.S.-HOJAI, DIST- HOJAI,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N J DUTTA, MR A BASUMATARY,MR. K D SARMA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 20.11.2024

Heard Mr. N. J. Dutta, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, 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 Lumding GRPS Case No. 22/2024, under Sections 394/419 of the Indian Penal Code.

The case was fixed today for production of Case Diary; however, it is submitted by the learned Additional Public Prosecutor, Mr. Goswami, that the I.O. has already filed Charge-Sheet, vide Charge-Sheet No. 63/2024, dated 30.07.2024, and accordingly submitted that the present anticipatory bail application has become infructuous.

In this context, Mr. Dutta, learned counsel for the petitioner, has submitted that after obtaining the order of interim pre-arrest bail, the petitioner has already appeared before the I.O. and his statement under Section 161 Cr.P.C. has already been recorded and hence, he prayed for extending the interim pre-arrest bail to the accused/petitioner till his appearance before the learned Court below.

Considering the submissions made by the learned counsels appearing for both sides and also considering the fact that the I.O. has already filed Charge-Sheet No. 63/2024, dated 30.07.2024, the petitioner is hereby directed to appear before the learned Court below within 15 (fifteen) days from the date of this order with an appropriate application for grant of regular bail, which shall be considered by the learned Court below in accordance with law.

Till then, interim pre-arrest bail granted to the accused/ petitioner, namely,

Raju Das, vide order dated 22.07.2024, shall remain extended.

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

JUDGE

Comparing Assistant