

GAHC010157972024



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

Case No. : AB/2075/2024

SAIFUL ISLAM @ MONBABU ISLAM
S/O SOHIJOL HOQUE @ SOFIJOL
VILL- BHIMAPARA, HATSINGIARI
P.S. SOUTH SALMARA,
DIST. SOUTH SALMARA MANKACHAR
PIN-783105

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE LEARNED PP, ASSAM

Advocate for the Petitioner : MR. M ISLAM, MS A KHATUN, MS. RUKMINI BARUA, MS.
PADMINI BARUA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

22.10.2024

Heard Mr. M. Islam, learned counsel for the petitioner. Also heard Mr. K. K. Parasar, learned Additional Public Prosecutor for the State respondent.

This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying for grant of pre-arrest bail to the accused/petitioner, who is apprehending arrest in connection with South Salmara P.S. Case No. 31/2024 (GR No.79/2024) under Sections 147/148/143/325/326/307/379 of the Indian.

The case was listed today for production of the updated Case Diary before this Court, however, Mr. Parasar, learned Additional Public Prosecutor has submitted that the I.O. has already filed Charge-Sheet in this case, vide Charge-Sheet No. 100/2024, dated 31.08.2024. He accordingly submits that the petitioner may be directed to appear before the learned Trial Court for regular bail.

In this regard, Mr. Islam, learned counsel for the petitioner, has submitted that some of the co-accused have already been released on bail, while others are on interim pre-arrest bail. Accordingly, he requests that directions be given to the arresting authority to take no coercive action against the present petitioner.

After hearing the submissions made by the learned counsels for both sides, it is seen that the earlier anticipatory bail application was rejected by this

Court. Also, the case has already been charge-sheeted, Vide C.S. No. 100/2024, dated 31.08.2024, against the petitioner. Thus, I do not find any reason to direct the arresting authority not to take any coercive actions against the petitioner; accordingly, this request stands dismissed. However, it is provided that the petitioner shall appear before the learned Trial Court and on his appearance and on his filing a petition for grant of regular bail, the learned Trial Court shall consider the same in accordance with law.

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

JUDGE

Comparing Assistant