

GAHC010182852023



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

Case No. : AB/2905/2023

PANKAJ BAYAN
S/O BIDUR BAYAN
R/O VILL- SANKAR NAGAR,
P.S. UDALGURI
DIST. UDALGURI, ASSAM
(M) 9854626536

VERSUS

THE STATE OF ASSAM
THROUGH THE PP, ASSAM

Advocate for the Petitioner : MR R DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 13-03-2024

Heard Mr. A. Dutta, learned counsel for the applicant and also heard Mr. R. J. Barua, learned Addl. P.P. for the State respondent.
Apprehending arrest in connection with Mazbat P.S. Case No. 63/2023, under Sections 406/420/34 IPC, this application under Section 438 Cr. P. C. is preferred

by applicant, namely, Pankaj Bayan for grant of pre-arrest bail.

The above noted case has been registered on the basis of an FIR lodged by one Prabhjyot Gill, Head-Service Operation, Customer Experience Department, Assam Service Area of Bharati Airtel Ltd.

The essence of allegation made in the FIR is that New Roshni Tailors and other persons of Mazbat near SDC Office Noinaharbari, Mazbat have issued multiple SIM card, in multiple names using forged documents.

Mr. Dutta, learned counsel for the applicant submits that the applicant, on the relevant point of time, was the Manager of the New Roshni Tailors and that he is no way involved with the offence and he is ready to cooperate with the investigating agency and therefore, it is contended to allow the petition.

Whereas, Mr. R. J. Barua learned Addl. P.P. submits that as per his instruction, the I.O. has completed investigation and submitted charge sheet being Charge Sheet No.65/2023 dated 14.10.2023, u/s 406/420/34 IPC.

Since, charge sheet has already been submitted, this Court is inclined to dispose of this pre-arrest bail application by directing the applicant to appear before the learned Court below and to apply for regular bail, and in the event of filing such an application, the learned Court below shall consider the same in accordance with law, within 1.4.2024.

Till then, interim order dated 22.8.2023 stands extended.

JUDGE

Comparing Assistant