

GAHC010196452024



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

Case No. : I.A.(CrI.)/896/2024

MD. AZIM ALI
S/O AFSER ALI, R/O HALIGAON, MOUZA-RAMPUR, DIST- KAMRUP, ASSAM

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR A TEWARI, MS. M BAISHYA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

20.09.2024

Heard Mr. A. Tewari, learned counsel for the petitioner and Ms. N. Das, learned Additional Public Prosecutor appearing for the State.

The petitioner by way of instituting the present interlocutory application has prayed for modification of the order dated 06.09.2024 passed by this Court in A.B. no. 1469/2024 by which the petitioner was required to approach the trial court and apply for regular bail in as much as the charge sheet in the matter was contended by the parties to the present proceedings, to have

been so filed.

The petitioner in the interlocutory application has brought on record a copy of the charge sheet so filed by the investigating authority on conclusion of the investigation in connection with Palashbari Police Station Case no. 174/2024 under Sections 447/294/325/326/427/506/34, IPC. It is contended at the Bar that the charge sheet so filed by the police in the above noted police case, the petitioner has not been implicated with the offence so involved and his name has not been shown as an accused in the charge sheet so filed.

In view of the above position, the petitioner not being implicated as an accused in the charge sheet, there would arise no further occasion for the petitioner to seek bail in the matter as there would not be any apprehension of arrest of the petitioner in connection with the above noted case and accordingly, this Court would not be called upon to pass any order granting to the petitioner a bail in the matter.

In view of the above developments and with the clarification that the petitioner has not been named as an accused in the charge sheet, as noticed above, he would not be required to seek a bail in connection with Palashbari Police Station Case no. 174/2024 on account of the fact that he is not being charge sheeted, the interlocutory application stands closed.

JUDGE

Comparing Assistant