

GAHC010201022023



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

Case No. : AB/3077/2023

AYNAL HOQUE
S/O. LATE AKBAR ALI, VILL. SATRAKONARA SEAT NO.6, P.O.
SATRAKONARA, P.S. BAGHBAR, DIST. BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM
REP. BY PP, ASSAM.

Advocate for the Petitioner : MR. P J SAIKIA, SR. ADV

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

19.01.2024

Heard Mr. A.M. Khan, learned counsel for the applicant and Mr. B. Sharma, learned Additional Public Prosecutor for the State respondent.

2. This application, under Section 438 of the Code of Criminal Procedure, is preferred by applicant namely, **Aynal Hoque**, who has been apprehending arrest in connection with **Baghbar P.S. Case No. 52/2023**, under Sections 120[B]/420/409 of the IPC, read with Section 7 of the EC Act, for grant of pre-arrest bail.

3. Mr. Sharma, learned Additional Public Prosecutor submits that he has not received the case diary, but he has the instruction that the I.O. has already completed investigation and laid Charge-Sheet against the applicant, under Sections 120[B]/420 of the IPC read with Section 7[ii] of the EC Act, vide Charge-Sheet No. 01/2024, dated 13.01.2024.

4. In view of above, this anticipatory application stands disposed of by directing the applicant to appear before the learned court below on **05.02.2024**, and to apply for regular bail and in event of filing such an application, the learned Court below shall consider the same in accordance with law.

5. Till then, the interim order dated 11.09.2023, shall continue.

Comparing Assistant

JUDGE