

GAHC010230352023



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

Case No. : AB/3491/2023

SANJU SARMA
S/O- UMESH SARMA R/O VILL- POILA BOLAKUCHI PS- NALBARI, DIST-
NALBARI, ASSAM. PIN - 781334

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P. ASSAM.

Advocate for the Petitioner : MR. D P CHALIHA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

23.01.2024

Heard Mr. D.P. Chaliha, learned Senior Counsel assisted by Mr. I. Ahmed, learned counsel for the applicant and Mr. R.J. Barua, 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, **Sanju Sarma**, who has been apprehending arrest in connection with **Panbazar P.S. Case No. 253/2023**, under Sections 419/420/406/468 of the IPC, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of one FIR lodged by one Nirmala Deka, on 23.09.2023. The essence of allegation made in the aforesaid FIR is that one Raghab Deka, showing her as his wife and also making forged documents such as, Aadhaar Card and Pan Card, had taken a home loan, amounting to Rs. 25,00,000/- from LIC, Fancy Bazar Branch.

4. Mr. Barua, 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 419/420/468 of the IPC, vide Charge-Sheet No. 254/2023, dated 27.11.2023.

5. In view of above, this anticipatory application stands disposed of by directing the applicant to appear before the learned court below on or before **09.02.2024**, 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.

6. Till then, the interim order dated 12.10.2023, stands extended.

JUDGE

Comparing Assistant