

GAHC010233712023



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

Case No. : AB/3542/2023

CHANA MIA
S/O LATE SIRAJ MIA
R/ VILL- SUKANTA PALLI
P.S. TELIAMURA,
DIST. KOHIMA (TRIPURA)

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

22.05.2024

Heard Mr A Ahmed, learned counsel for the petitioner, Chana Mia. Also heard Mr D Das, learned Additional Public Prosecutor for the State of Assam/respondent.

2. Case Diary is received.

3. It is submitted by the learned counsel for the petitioner that he has received instructions from the petitioner that he has appeared before the IO. However, the learned Additional Public

Prosecutor has submitted that the Case Diary reveals with clarity that the petitioner has not appeared before IO. So, notice under Section 41-A CrPC has been issued against him. The petitioner was on interim bail vide order dated 16.10.2023, subject to the condition that he appears before the IO, within 2 (two) weeks from 16.10.2023. As the petitioner has violated the bail conditions, the interim bail order dated 16.10.2023, stands cancelled.

4. In terms of the above, the petition is disposed of. Petition under Section 438 CrPC is hereby, rejected.

5. Send back the Case Diary.

JUDGE

Comparing Assistant