

GAHC010243392024



undefined

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

Case No. : AB/3044/2024

AKTABUR RAHMAN
S/O SHALU SK
R/O VILL- FEKAMARI
P.S. SOUTH SALMARA
DIST.. SOUTH SALMARA MANKACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR H ROHMAN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

06.12.2024

Heard Mr. S C Biswas, learned counsel for the petitioner and Mr. M P Goswami, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending his arrest, the petitioner, namely, Aktabur Rahman, son of Shalu Sk, resident of village Fekamari, Police Station-South Salmara, District-South Salmara, Mankachar has filed this application under Section 482 BNSS, 2023 praying for his pre-arrest bail in

Mankachar Police Station Case No. 180/2024 under Sections 420/406/294/354/506 of the IPC, corresponding to G.R. No. 403/ 2024.

3. From the case diary, Mr. M P Goswami, learned Additional Public Prosecutor submitted that the petitioner on obtaining bail from the Court of learned Sessions Judge, South Salmara-Mankachar in Criminal Misc. Case No. 239/2024 appeared before the Investigating Officer of said Mankachar P.S. Case No. 180/2024 and his statement in said Mankachar P.S. Case was already recorded.

4. At this stage, Mr. S C Biswas, learned counsel for the petitioner submitted that earlier the petitioner obtained interim bail in said Mankachar P.S. Case No. 180/2024 from the Court at South Salmara-Mankachar, which was later rejected and as such, filed this pre-arrest bail application in said Mankachar P.S. Case.

5. In this petition at paragraph No. 10 the petitioner has categorically stated that except this pre-arrest bail application, no other bail application of the petitioner is neither pending before the Hon'ble High Court nor any other subordinate Courts. However, the petitioner in the present petition did not state before the Court anything about filing of said Criminal Misc. Case No. 239/2024 before the learned Sessions Judge, South Salmara-Mankachar seeking pre arrest bail in said Mankachar P.S. Case No. 180/2024 and its status, which fact has been placed before this Court for the first time by Mr. Goswami, learned APP from the case diary.

6. Accordingly, for suppression of facts and misrepresentation before the Court, this pre-arrest bail application of the petitioner Aktabur Rahman, son of Shalu Sk, in said Mankachar P.S. Case No. 180/2024, stands dismissed.

JUDGE

Comparing Assistant