

GAHC010251352024



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

Case No. : I.A.(Crl.)/1158/2024

SRI GANGLAB BRAHMA
S/O MR. MAHANANDA BRAHMA R/O VILL- HABRUBARI, P.O. AND P.S.
DHALIGAON, DIST. CHIRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : BIMAL CH MUCHAHARY, MR B C MUCHAHARY, MRS. A
BASUMATARY, J DAS
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

02.12.2024

Heard Mr. R. Dhar, learned counsel for the applicant.

By this interlocutory application, the applicant has prayed for modification/correction of the order dated 11.09.2024 passed by the this Court in AB No. 2084/2024 by which the aforesaid bail application was dropped.

Mr. Dhar, learned counsel for the applicant has prayed for correction of the order dated 11.09.2024 passed in AB No. 2084/2024 which was disposed of on 11.09.2024.

According to learned counsel for the applicant, though the case diary does not reflect involvement of the applicant but the Investigating Authority time and again asked the applicant to appear before the IO in connection with Bongaigaon PS Case No. 258/2024. It is further stated that if the applicant appears before the IO, he may be arrested as such the learned counsel for the petitioner prays to modify the order dated 11.09.2024 passed in AB No. 2084/2024.

The order of 11.09.2024 is reproduced herein below:

“.....The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence. His name is also not mentioned in the FIR and as such, the benefit of pre-arrest bail may be extended to the petitioner.

Learned Additional Public Prosecutor has produced the case diary and submits that case diary does not reflect any involvement of the petitioner in this case.

In view of above, the matter be dropped and disposed of.”

It appears that after perusal of the case diary, the aforesaid order was passed on 11.09.2024. As there was no any incriminating material in the case diary against the petitioner in connection with Bongaigaon PS Case No. 258/2024, the matter was dropped.

In view of the above, there is no question of modification or correction of the said order. Hence, the prayer of the petitioner is rejected.

The interlocutory application stands disposed of.

JUDGE

Comparing Assistant