

GAHC010269072023



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

Case No. : AB/4046/2023

RAJESH NATH
S/O LATE MAHENDRA NATH
R/O DHING NAMDOOMDOOMIA
P.O. AND P.S. DHING
DIST. NAGAON, ASSAM
PIN-782123

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR H BARUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

30.05.2024

This matter was called thrice during the course of the day. However, none appears for the petitioner on call. Mr. B. Sarma, learned Additional Public Prosecutor for the State is present.

By this application under Section 438 of Code of Criminal Procedure, 1973, the petitioner, namely, **Sri Rajesh Nath** has approached this Court seeking the benefit of pre-arrest bail, apprehending his arrest, in connection with Basistha Police Station Case No. 670/2023 registered under Sections 420/406 of IPC.

This Court under its order dated 30.11.2023 while calling for the case diary, had granted interim protection to the petitioner from arrest with a condition that the petitioner shall appear before the Investigating Officer within 02 weeks from 30.11.2023 for recording his statement.

Case diary is received. Perused the same.

Case diary reflects that the petitioner has not appeared before the Investigating Officer pursuant to this Court's order dated 30.11.2023. None appears for the petitioner also to represent him.

In view of the aforesaid, the present bail application stands dismissed for non prosecution.

Interim order dated 30.11.2023 stands vacated.

Case diary be returned back.

JUDGE

Comparing Assistant