

GAHC010271542023



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

Case No. : AB/4057/2023

EBRAHIM DEWAN @ IBRAHIM ALI
S/O LATE JOYNUDDIN DEWN
R/O VILL- KHAGRABARI, P.S. AGIA
DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MD. I HUSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 23.02.2024

Heard Mr. H. M. S. Elahi, learned counsel for the petitioner. Also heard Mr. K. K. Das, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 439 of the Code of Criminal Procedure

praying for grant of bail to the accused/petitioner, who has been arrested in connection with Agia P.S. Case No. 111/2023, corresponding to G.R. Case No. 901/2023, under Sections 120(B)/147/148/149/354/302 of the Indian Penal Code.

The case was fixed today for production of Case Diary; however, it is submitted by the learned Additional Public Prosecutor, Mr. Das, that the case has already been Charge-Sheet, vide Charge-Sheet No. 05/2024, dated 14.02.2024.

In this context, the learned counsel for the petitioner, Mr. Elahi, has submitted that the accused/petitioner is behind the bar for a considerable period and hence, till his appearance before the learned Court below, he may be enlarged on bail.

Considering the submissions of learned counsels for both sides and also considering the fact that the I.O. has already filed Charge-Sheet No. 05/2024, dated 14.02.2024, I do not find it appropriate to pass any order on bail. However, the petitioner is at liberty to approach the learned Court below with an appropriate application for bail, which shall be considered by the learned Court below in accordance with law.

In terms of above, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant