

GAHC010278702023



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

Case No. : AB/4181/2023

GOLAM MUSTAFA
S/O AJAHAR ALI
R/O VILL- DHALIGAON, P.S. BIJNI
DIST. CHIRANG, BTR, ASSAM
PIN-783385

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. R SARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

09-01-2024

Heard Mr. R Sarma, learned counsel for the petitioner and Ms. A Begum, learned Additional Public Prosecutor, Assam for the State.

2. Petitioner is an FIR named accused in Abhyapuri Police Station Case No. 343/2023 registered under Sections 406/468/471 IPC corresponding to NGR No. 613/2023.

3. This is the petitioner's 2nd pre-arrest bail application in said Abhyapuri P.S. Case No.

343/2023.

4. Earlier, the petitioner preferred a similar pre-arrest bail application under Section 438 CrPC being AB No. 3699/2023 seeking anticipatory bail in said Abhyapuri P.S. Case No. 343/2023 and this Court on perusal of the Case Diary by order dated 26.10.2023 rejected such pre-arrest bail application of the petitioner in said Abhyapuri P.S. Case No. 343/2023.

5. By order dated 21.12.2023 passed earlier in the present proceeding, the Court directed the learned Additional Public Prosecutor, Assam to place the up-to-date Case Diary pertaining to said Abhyapuri P.S. Case No. 343/2023.

6. Ms. Begum, learned Additional Public Prosecutor, Assam, on instruction, has submitted that after investigating the matter, the authorities in the Abhyapuri Police Station on 30.12.2023 submitted the Charge-Sheet in said Abhyapuri P.S. Case No. 343/2023 vide Charge-Sheet No. 448/2023.

7. In view of the above, the petitioner may approach the appropriate forum for his bail in said Abhyapuri P.S. Case No. 343/2023 corresponding to NGR No. 613/2023, if his name is incorporated in the said Charge-Sheet No. 448/2023.

8. Needless to say, in the event of approach of the petitioner for his bail in said Abhyapuri P.S. Case No. 343/2023 corresponding to NGR No. 613/2023, the concerned Court/forum shall consider the same in accordance with law.

9. With the above observation, this pre-arrest bail application stands disposed of.

JUDGE

Comparing Assistant