

GAHC010279922023



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

Case No. : AB/4183/2023

KUNTALA BASUMATARY @ KUNTALA BRAHMA
W/O LATE RUPESWAR BASUMATARY
R/O VILL- ABHAYPURI
P.S. KAMALPUR
DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. K K HANDIQUE

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

04.03.2024

Heard Mr. K.K. Handique, learned counsel for the applicant and Mr. R.J. Barua, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with **North Guwahati PS Case No. 96/2022**, under Sections 120(B)/419/420/468/471 of the IPC, this application under Section 438 of the Code of Criminal Procedure, 1973, is preferred by applicant namely, **Kuntala Basumatary @ Kuntala Brahma** for

grant of pre-arrest bail.

3. The said case was registered on the basis of an FIR lodged by one Bipul Kanta Baruah, on 07.09.2022. The essence of allegations made in the FIR is that the informant is the recorded pattadar of a land covered by Dag No. 467 under K.P. Patta No. 105, of Abhoypur village, under Sila Sinduri Ghopa Mouza, in the district of Kamrup (M) and on verification of the Jamabandi of the said land, the first informant came to know that the present petitioner has mutated her name in respect of the said land.

4. Mr. Handique, learned counsel for the applicant submits that this Court was pleased to grant interim protection to the applicant, vide order dated 15.12.2023, and pursuant to the said order, the applicant had appeared before the IO and has been cooperating with the investigating agency and therefore, it is contended to make the interim order dated 15.12.2023, absolute in the same terms and conditions.

5. Mr. Barua, learned Additional Public Prosecutor submits that he has not received the case diary, but he has the instruction that after completion of investigation the IO has returned the case in Final Report, being F.R. No. 88/2023, dated 30.12.2023, under Sections 120(B)/419/420/468/471 of the IPC.

6. Since the IO has returned the case in Final Report, this anticipatory bail application becomes infructuous and accordingly, the same stands closed.

JUDGE

Comparing Assistant