

GAHC010280372023



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

Case No. : AB/4193/2023

BIDYA RONGPI
S/O LUNJANG @ LUMJONG RONGPI,
VILL.- BAITHALANGSO RESERVE- SAUBIN MARKET,
P.O.- BAITHALANSO, P.S.- BAITHALANGSO, DIST.- WEST KARBI
ANGLONG, ASSAM, PIN- 782426.

VERSUS

THE STATE OF ASSAM
REP. BY THE PUBLIC PROSECUTOR.

Advocate for the Petitioner : RAJU DEURI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 06.03.2024

Heard Mr. R. Deori, learned counsel for the petitioner. Also heard Mr. B. B. Gogoi, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 438 of the Code of Criminal Procedure praying for grant of pre-arrest bail to the accused/petitioner, who is apprehending arrest in connection with Baithalangso P.S. Case No. 69/2023, and G.R. No. 20/2023, under Section 380 of the Indian Penal Code *read with* Section 13(1) of the Assam Cattle Preservation Act, 2021.

The case was fixed today for production of Case Diary; however, it is submitted by the learned Additional Public Prosecutor, Mr. B. B. Gogoi, that the I.O. has already filed Charge-Sheet, vide Charge-Sheet No. 91/2023, dated 31.12.2023, and accordingly submitted that the present anticipatory bail application has become infructuous.

In this context, Mr. R. Deori, learned counsel for the petitioner, has submitted that after obtaining the order of interim pre-arrest bail, the petitioner has already appeared before the I.O. and his statement under Section 161 Cr.P.C. has already been recorded and hence, prayed for extending the interim pre-arrest bail till his appearance before the learned Court below.

Considering the submissions made by the learned counsels appearing for both sides and also considering the fact that the I.O. has already filed Charge-Sheet, vide Charge-Sheet No. 91/2023, dated 31.12.2023, the petitioner is hereby directed to appear before the learned Court below within 15 (fifteen) days from the date of passing of this order with an appropriate application for grant of regular bail, which shall be considered by the learned Court below in accordance with law.

Till then, interim protection extended to the accused/petitioner, namely,

Shri Bidya Rongpi, vide order dated 14.12.2023, shall continue.

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

JUDGE

Comparing Assistant