

GAHC010284712023



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

Case No. : Bail Appln./4622/2023

MONOWAR HUSSAIN
S/O MATIUR RAHMAN
R/O VILL- BUNMAJA GAN
P.S. GOBARDHANA
DIST. BAKSA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. N J DUTTA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

18.01.2024

Heard Mr. N. Ahmed, learned counsel for the accused and Mr. R.J. Barua, learned Additional Public Prosecutor for the State respondent.

2. This application under Section 439 of the Code of Criminal Procedure, 1973, is preferred by accused namely, **Monowar Hussain**, who has been languishing in jail hazot, in connection with the **Gobardhana P.S. Case No. 138/2023**, under Sections 457/380/401 of the IPC, for granting bail.

- 3.** 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. 26/2023, dated 31.12.2023.
- 4.** In view of above, this bail application becomes infructuous and accordingly, the same stands closed.
- 5.** The accused shall be released from the jail hazot forthwith, if not warranted in any other cases.

Comparing Assistant

JUDGE