

GAHC030000912024



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

Case No. : Bail Appln./13/2024

Sh. Abu Saleh Md. Saif Uddin
S/o Abdul Fattah
R/o Patharkandi,
Karimganj, Assam.

VERSUS

The State of Mizoram
r/b the Secretary to the Govt. of Mizoram, Home Department, Aizawl, Mizoram.

Advocate for the Petitioner : Mr F Lalenglina

Advocate for the Respondent : P.P./Addl.PP, Mizoram

B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
O R D E R

23.02.2024

Heard Mr. F. Lalenglina, learned counsel for the applicant along with Mrs. Mary L. Khiangte, learned Addl. Public Prosecutor for the State.

Mr. F. Lalenglina, learned counsel for the applicant submits that the instant bail application has been filed on medical grounds since the applicant/petitioner is suffering from

acute appendicitis and is presently admitted in the LRM Hospital. He further submits that the learned trial court had previously rejected the bail application made by the petitioner in Bail Application No.103/2024 dated 08.02.2024 since they had not submitted the up-to date medical certificates.

Mary L. Khiangte, learned Addl. Public Prosecutor for the State respondent submits that that this matter may be referred back to the learned Trial Court with the up-to date medical certificates which were not placed before the Trial Court.

Having heard the submissions made by both the parties, this court considering the fact that the learned trial court had rejected the Bail application filed previously since the only medical certificate which appeared to have been placed before the learned trial court was dated 22.0.6.2023, which was before the arrest of the petitioner.

In view of the above, considering the grounds for which the bail was previously rejected by the learned Trial Court, this court find it appropriate, if the learned counsel for the petitioner/applicant approach the trial court with the most recent medical certificates for the fresh consideration of the bail of the petitioner.

Accordingly, the Bail Application No.13/2023 stands dismissed and disposed of as above.

JUDGE

Comparing Assistant