

GAHC020001882024



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

Case No. : AB/6/2024

RAJU CHANDA @ RAJU CHANDRA
S/O LATE BIPUL CHANDA
R/O H.NO. 26
UJJAL PATH
DHGUPOLIA, JYOTIKUCHI, LALGANESH
P.S. FATASHIL AMBARI, GUWAHATI
DIST- KAMRUP (M) ASSAM
781034

VERSUS

THE STATE OF NAGALAND
KOHIMA NAGALAND

Advocate for the Petitioner : I CHOUDHURY

Advocate for the Respondent : P.P, NAGALAND

**BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 25-07-2024

Heard Mr. Medo Vero, learned counsel for the applicant. I have also heard Mr. K. Angami, learned P.P. for the State of Nagaland.

2. Apprehending his arrest in connection with Tuensang PS case

no. 16/2024 registered under section 420 IPC, the accused/applicant filed this application under section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in the said case.

3. By an order dated 16.04.2024, while calling for the case diary, the applicant/accused was protected by an interim order directing for his release in the event of his arrest in connection with the above Tuensang PS case on execution of a bail bond with certain conditions.

4. The learned PP submitted the updated Status Report and I have perused the same.

5. As per the report, after obtaining interim anticipatory bail, the accused/applicant had appeared before the I.O. of the case on 28.06.2024. On such appearance, the I.O. had examined and recorded his statement under section 161 Cr.PC, and since the accused was cooperating with the investigating agency, the I.O did not feel it necessary to arrest him. However after completion of the investigation, the I.O. has submitted the case into chargesheet against the accused to face trial for offence under section 420 IPC. It is further submitted that as the case has already been submitted into chargesheet, the further custodial remand or custodial interrogation of the accused/ applicant is no longer required.

6. In view of the above, and since the accused has cooperated with the I.O. of the case and, as the case has already been submitted into chargesheet, further custodial remand and/or custodial interrogation of the accused/applicant may no longer be

required in the instant case.

7. Accordingly, the interim anticipatory bail granted to the accused/applicant on 16.04.2024, is hereby regularized and made absolute with the same terms and conditions, with the further condition that the accused/applicant shall appear before the Trial Court regularly.

8. This bail order shall be read along with the order dated 16.04.2024 passed by this Court.

9. With the above, this anticipatory bail application stands allowed and disposed of.

Sd/-
JUDGE

Comparing Assistant