

GAHC020005402024



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

Case No. : AB/10/2024

SHRI BIRJU BORA
S/O LATE BASARAM BORA
HOUSE NO. 175, PATHARQUARY
NEAR HINDUSTAN COLLEGE
P.S.- SATGAON
DIST- KAMRUP (M)- 781171, ASSAM

VERSUS

STATE OF NAGALAND
NAGALAND KOHIMA

Advocate for the Petitioner : VIKRAMJEET DEVNATH, GUNAMANI
SARMA, NAYANJIT KONWAR

Advocate for the Respondent : P.P, NAGALAND,

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

ORDER

Date : 14-10-2024

Heard Mr. Gunamani Sarma, learned counsel appearing for the petitioner. I have also heard Ms. S. Mere, learned P.P. State of Nagaland.

2. By order dated 12.9.2024 while calling for the scanned copy of the Case Diary, the accused/applicant was granted interim anticipatory bail with certain conditions. On 17.9.2024, the accused was directed to appear before the I.O of the case within 15 days from the date of the said order.

3. In compliance of the said direction, the accused had appeared before the I.O. of the case on 7.10.2024 and on his appearance, the accused was arrested in connection with Dimapur East P.S Case No.0137/2024 u/s 318(4)/316(2) and after recording his statement under section 161 Cr.PC and on completion of all the procedures, the accused was thus released on bail on execution of bail bond on the same day.

4. The learned counsel for the petitioner submits that since the accused has already been arrested and released on bail and as he is co-operating with the I.O of the case, the interim anticipatory bail granted to him on 12.9.2024 and extended on 17.9.2024 may be regularised and made absolute.

5. Ms. S. Mere, learned P.P who produced the scanned copy of the Case Diary has also submitted that the accused has already been arrested and released on bail and he is now co-operating with the I.O of the case. As such, she has no objection if the interim bail granted to the accused is regularized.

6. In view of the above and since the accused has already been arrested and released on bail, this anticipatory bail application has become infructuous. Accordingly, the interim bail granted to the accused on 12.9.2024 is hereby regularised and made absolute with the same terms and conditions.

7. This bail order may be read along with the order dated 12.9.2024 and 17.9.2024.
8. With the above, the bail application stands disposed of.

**Sd/-
JUDGE**

Comparing Assistant