GAHC010085992020

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

Case No. : AB 1513/2020

1:REJIA KHATUN
W/O. ABDUL HAMID, VILL. SOGUNMARI PART-IV, P.S. BILASIPARA, DIST. DHUBRI, ASSAM, PIN-783348.

VERSUS

1:THE STATE OF ASSAM
REP. BY PP, ASSAM.

Advocate for the Petitioner : MR F HAQUE

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

Date : 14-08-2020

Heard Mr. F Haque, learned counsel for the petitioner and Mr. B Sarma, learned Additional Public Prosecutor, Assam for the State.

The petitioner, namely, **Rejia Khatun**, has filed this application under Section 438 Cr.P.C. seeking pre-arrest bail apprehending her arrest in Bilasipara P.S. Case No. 1021/2019 registered under Sections 420/406/409 IPC, corresponding to G.R. Case No. 1643/2019.

The petitioner is the mother-in-law of one Rahima Khatun, Anganwadi worker of 104 Nos. Poyasti Buchir Char Anganwadi Centre and mother of Abdul Hamid SK, husband of said Rahima Khatun. The petitioner along with said Rahima Khatun and Abdul Hamid Sk are the FIR named

accused in said Bilasipara P.S. Case No. 1021/2019 and the allegation in the FIR of the case against the accused persons of the case are that Rahima Khatun along with the petitioner and said Abdul Hamid Sk by forging the signatures, misappropriated the public fund meant for the benefit of pregnant lady and the school children sanctioned under the various schemes of the Government.

The Court by order dated 22.06.2020 has already granted interim bail to the petitioner in said Bilasipara P.S. Case No. 1021/2019.

During deliberation of the matter, Mr. B Sarma, learned Additional Public Prosecutor, Assam, on instructions submitted that police after investigating the matter has already submitted the charge-sheet in said Bilasipara P.S. Case No. 1021/2019 on 30.06.2020 vide Charge-Sheet No. 270/2020.

In view of the above, **on or before 31.08.2020**, the petitioner, **Rejia Khatun** may approach the appropriate Court for her regular bail in said Bilasipara P.S. Case No. 1021/2019, if her name has been forwarded as an accused in the charge-sheet submitted in said Bilasipara P.S. Case.

Till then (i.e., 31.08.2020), the interim order passed earlier by the Court on 22.06.2020 in favour of the petitioner in said Bilasipara P.S. Case No. 1021/2019 shall remain in force.

However, it is made clear that since this order has been passed in presence of the counsel for the petitioner, the interim order passed earlier on 22.06.2020 in favour of the petitioner, named above, shall not be extended beyond 31.08.2020.

With the above observation and direction, this pre-arrest bail application of the petitioner, named above stands closed.

JUDGE

Comparing Assistant