

GAHC010042672024



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

Case No. : AB/599/2024

YOUSEF ALI
S/O LATE YAKUB ALI, R/O VILL- KAWADI NO. 2, P.O.-SONAIKOLA, P.S.-
MANIKPUR, DIST- BONGAIGAON, ASSAM, PIN CODE-783391

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M U MAHMUD

Advocate for the Respondent : PP, ASSAM

**BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN**

ORDER

11.03.2024

Heard Mr. M.U. Mahmud, learned counsel for the applicant and also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. This application, under Section 438 Cr.P.C. is preferred by applicant, namely, Yousuf Ali, who has been apprehending arrest in connection with any case lodged with Manikpur P.S. in connection with money lending business.

3. Mr. Mahmud, learned counsel for the applicant submits that as instructed by him, no case has been registered against the present applicant, but he is being searched by police and as such, he apprehends that he may be arrested in connection with money lending case.

4. It is to be noted here that vide order dated 06.03.2024, the learned Additional P.P. was directed to obtain written instruction from the Officer-in-Charge, Manikpur P.S., as to whether any case has been registered against the present applicant or not.

5. Today, Mr. Sarma, learned Additional P.P. has produced one report from the Officer-in-Charge, Manikpur P.S. and submits that no case has been registered against the present applicant with the Manikpur P.S.

6. Since no case has been registered against the present applicant, there is no apprehension of arrest and as such, this application becomes infructuous and accordingly, the same stands closed.

Sd/- Robin Phukan
JUDGE

Comparing Assistant