

GAHC010005822024



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

Case No. : AB/120/2024

IKRAMUL HAQUE AND 2 ORS
S/O- AMJAT ALI,
R/O- VILLAGE FAKALI,
P.S- RUPAHIHAT,
DIST- NAGAON, ASSAM

2: JIYABUR RAHMAN
S/O- ABU TALEB

R/O- VILLAGE RAUMARI

P.S- RUPAHIHAT

DIST- NAGAON
ASSAM

3: SAFIQUUL ISLAM
S/O- OSMAN ALI

R/O- VILLAGE TOPATALI

P.S- SONAPUR

DIST- KAMRUP (M)
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. T CHUTIA, MS S NASRAT,MR H BORAH

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

11-11-2024

Heard Mr. T Chutia, learned counsel for the petitioners and Mr. K K Parashar, learned Additional Public Prosecutor, Assam for the State.

2. Pursuant to the order of the Court dated 06.11.2024, Mr. Mrinal Deka, Deputy Commissioner of Police, East, Kamrup (Metro) is personally present before the Court today.

3. It has been brought to the notice of the said DCP, East, Kamrup (M) that in spite of issuing reminders and granting time to the concerned Investigating Officers of the cases, the Public Prosecutor failed to place the relevant case diaries/status reports of the cases for which on number of occasions time had to be granted to the Public Prosecutor for production of the case diaries/status reports and the interim bails granted to the alleged accused petitioners had to be extended for many months, in certain cases for more than a year and the alleged accused petitioners remain on interim bail.

4. After long period, through the Public Prosecutor the concerned I.O.s used to submit either the Charge-Sheets have been filed in the case or the case has been recorded as Final Report.

5. During the deliberation of the matter, the said DCP, East, Kamrup (M) who is personally present before the Court today has submitted that henceforth the said authority shall look after the matter pertaining to the police stations under his jurisdiction, so that the Court is well informed about the case diaries/status reports within time.

6. Considering the same, personal appearance of Mr. Mrinal Deka, Deputy Commissioner of Police, East, Kamrup (Metro) is dispensed with, until further order.

7. It is also submitted by Mr. K K Parashar, learned APP, Assam that Sub-Inspector of Police,

Mr. Dimbeswar Dahal, the concerned I.O. of Sonapur Police Station Case No. 275/2023 on his way to the Court met with an accident and therefore could not appear before the Court today.

8. In view of the above, personal appearance of Mr. Dimbeswar Dahal, concerned I.O. of Sonapur Police Station Case No. 275/2023 is dispensed with, until further order.

9. Mr. K K Parashar, learned APP, Assam, on instruction, has further submitted that police after completion of investigation of the matter filed Charge-Sheet in said Sonapur Police Station Case No. 275/2023, vide Charge-Sheet No. 71 dated 21.04.2024.

10. In view of the above, the petitioners, namely, (i) **Ikramul Haque**, son of Amjat Ali, resident of village-Fakali, P.S.- Rupahihat, District-Nagaon, (ii) **Jiyabur Rahman**, son of Abu Taleb, resident of village-Raumari, P.S.-Rupahi, District-Nagaon and (ii) **Safiqul Islam**, son of Osman Ali, resident of village-Topatoli, P.S.-Sonapur, District-Kamrup (M), are directed to approach the appropriate forum/authority for their regular bail in Sonapur P.S. Case No. 275/2023 **on or before 20.11.2024.**

11. Till then, i.e., 20.11.2024, the petitioners shall remain on interim bail granted to them earlier on 23.01.2024 in said Sonapur P.S. Case No. 275/2023.

12. With the above observation and direction, this pre-arrest bail application stands disposed of.

JUDGE

Comparing Assistant