

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
AB(SH) No. 31 of 2013

16.04.13

Heard Mr. ODV Ladia, the learned counsel for the petitioners.

The matter was fixed today for CD and for disposal of bail application.

Also heard Mr. R. Gurung, the learned counsel appearing on behalf of the state who has submitted that, there was no FIR nor any case has been registered against the petitioners. If it is so, the question of pre-arrest bail does not arise. Section 438 never empowers the Court to grant pre-arrest bail on mere speculative or imagination.

Accordingly, interim order passed by this Court vide order dated 22.03.13 stands vacated. The instant bail application is rejected and stands disposed of.

JUDGE

V. Lyndem.