

**Serial No.01**  
**Suppl.1 List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

AB/5/2019

Date of Order: 27.6.2019

Mijanur Rahman

**Vs.**

State of Meghalaya.

**Coram:**

**Hon'ble Mr. Justice Ajay Kumar Mittal, Chief Justice**

**Appearance:**

For the Petitioner/Appellant(s) : Mr. SSS. Rahman, Adv.

For the Respondent(s) : Mr. A. Kharwanlang, GA.

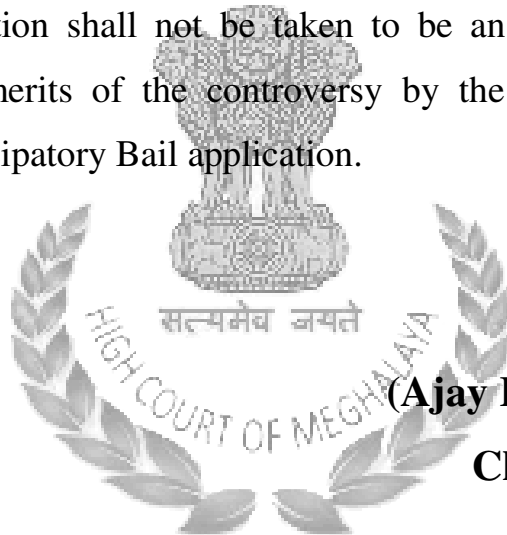
**ORAL:**

Learned counsel for the petitioner states that an application for Anticipatory Bail under Section 438 Cr. P.C. was presented in the Court of District and Sessions Judge, West-Garo Hills, Tura. It was urged by him that the said petition was returned to him and the petitioner was asked to file petition before the High Court. The original petition filed before the District & Sessions Judge, West-Garo Hills, Tura was produced to substantiate the aforesaid contention. Learned counsel for the petitioner also filed an affidavit of the girl, namely, Zushna Banu Rohman, the daughter of Kholilur Rohman who had lodged the impugned First Information Report.

The original petition presented before the District & Sessions Judge, Tura which was produced has been returned with a direction to be presented before the said Court. However, the affidavit of Zushna Banu Rohman daughter of the complainant has been taken on record. It has been stated in the affidavit that her father lodged a false F.I.R. before the Tura Women Police Station against the petitioner and she has married the petitioner of her own will. The father of the girl got the F.I.R. registered as Tura Women P.S case No.32 (05) 2019 under Section 366 I.P.C. dated 30.05.2019.

Learned counsel for the petitioner submitted that the petitioner shall resubmit the petition for Anticipatory Bail before the Court of District & Sessions Judge, West-Garo Hills, Tura on or before 04.07.2019. However, a prayer was made that interim protection be granted to the petitioner till then.

Accordingly, in view of the peculiar facts of the present case as noticed above, the application under Section 438 seeking Anticipatory Bail in First Information Report registered as Tura Women P.S. Case No. 32 (05) 2019 under Section 366 I.P.C. is disposed of by permitting the petitioner to resubmit the petition which was filed by her before the District & Sessions Judge, West-Garo Hills, Tura on or before 04.07.2019. However, the petitioner shall not be arrested till then. Needless to say, that the grant of interim protection vide this order till filing of the petition shall not be taken to be an expression of any opinion on the merits of the controversy by the Trial Court while deciding the Anticipatory Bail application.



**(Ajay Kumar Mittal)**

**Chief Justice**

Meghalaya

27.6.2019

**"Biswarup PS"**