

GAHC010182982019



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

Case No. : AB 2501/2019

1:SOUMITRA CHOWDHURY
S/O LT. SUKHENDU BIKASH CHOWDHURY, PERMANENT R/O RETIRED
COLONY, P.O. BADARPUR, P.S BADARPUR SADAR, DIST. KARIMGANJ,
ASSAM, AND PERSENTLY RESING AT SANJIBANI PATH, D.C.B. ROAD,
JORHAT, DISTRIC-JORHAT, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. D BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MIR ALFAZ ALI

ORDER

Date : 29-11-2019

Heard Mr. B. K. Mahajan, learned counsel for the petitioner and Mr. N.J. Dutta, learned Addl. Public Prosecutor for the State-respondent.

By this second successive application u/s 438 Cr.P.C. the petitioner, namely, Sri Soumitra Chowdhury has prayed for pre-arrest bail apprehending arrest in connection with BI (EO) P.S.Case No. 13/2018 under Sections 120(B)/420/406/468/471 IPC.

Perused the documents annexed with the petition.

The prayer for pre-arrest bail of this petitioner was rejected by this Court on 25-06-2019 after

perusal of the case diary and having found incriminating materials therein.

The case relates to mis-appropriation of money under the CKCC Scheme. The present second application does not reflect any fresh ground for re-consideration of the prayer for pre-arrest bail of the petitioner or to take a different view from the one taken while rejecting the earlier bail application. Therefore, this application for pre-arrest bail appears to be without merit and deserves to be rejected.

This bail application stands rejected.

Learned counsel, Mr. Mahajan submits that the petitioner be given liberty to surrender before the court. To me, there is no bar in surrendering before the court.

JUDGE

Comparing Assistant