

AB. No. 2 of 2014

6-2-2014

HON'BLE THE CHIEF JUSTICE

Shri K Kharmawphlang, Advocate, present for the petitioners.

Shri ND Chullai, Sr. Govt. Advocate, assisted by Shri KP Bhattacharjee, Govt. Advocate, present for respondents.

Heard.

By means of this petition moved under Section 438 of Code of Criminal Procedure, 1973, the petitioners have sought Anticipatory Bail in connection with Jowai P.S. Case No. 242(11)2013 relating to offence punishable under Section 302 IPC.

A village Headman namely, Shri Elington Pale said to have been murdered on 20-11-2013 in longhma village of West Jaintia Hills District. Nobody was named in the First Information Report.

Learned counsel for the petitioners submitted that petitioners apprehend arrest in the above mentioned case though they are innocent. Learned counsel for the respondents/State opposed the Anticipatory Bail Application stating that the petitioners are involved in the crime.

During the argument, learned counsel for the parties conceded that petitioner No.1, Shri Ram Tyngkra and petitioner No.6, Shri Rimonlangki Pudon have already been arrested, and their Anticipatory Bail has become infructuous.

I have perused the case dairy and other papers on record. There appears to be no evidence collected or found against petitioner No.3, Shri Bisharhok Pudon connecting him with the crime. Learned counsel for the petitioners submitted that petitioner No.3 has been implicated only for the reason that he is son of main accused, petitioner No.1, Shri Ram Tyngkra.

Having considered the submissions of the learned counsel for the parties and after perusal of papers on record and the case dairy, this

court is of the view that the Anticipatory Bail Application moved on behalf of petitioner No.1, Shri Ram Tyngkra, petitioner No.2, Shri Jlias Sumer, petitioner No.4, Shri Darimiki Pudén, petitioner No. 5, Shri Markichal @ Marki Pale and petitioner No.6, Shri. Rimonlangki Pudén is liable to be rejected.

Accordingly, the prayer for Anticipatory Bail on behalf of the above named petitioners is hereby rejected. However, as to petitioner No.3, Shri Bisharhok Pudén regarding whom there appears no evidence on record, it is directed that on his arrest, he shall be released on bail on furnishing personal bond of ₹ 25,000/- and two surety bonds each of like amount to the satisfaction of the Chief Judicial Magistrate, Jowai.

CHIEF JUSTICE

S.Rynjah

CRL.A. No. 3 of 2008

6-2-2014

HON'BLE THE CHIEF JUSTICE

Ms. A.Paul, Advocate present for the apellant.

Mr. VK Jindal, Sr. Advocate, assisted by Ms QB Lamare, Advocate, present for the respondents.

Heard arguments (not concluded). Hearing will continue tomorrow.

CHIEF JUSTICE

S.Rynjah

CRL.A. No. 1 of 2008

6-2-2014

HON'BLE THE CHIEF JUSTICE

Mr. K.Sunar, Advocate present for the apellant.

Mr. VK Jindal, Sr. Advocate, assisted by Ms QB Lamare, Advocate, present for the respondents.

Heard arguments (not concluded). Hearing will continue tomorrow.

CHIEF JUSTICE

S.Rynjah

CRL.A. No. 9 of 2010

6-2-2014

HON'BLE THE CHIEF JUSTICE

Ms. A.Paul, Advocate present for the apellant.

Mr. VK Jindal, Sr. Advocate, assisted by Ms QB Lamare, Advocate, present for the respondents.

This case could not be taken up as there is no time left due to long hearing of CRL.A. No. 3 of 2008 and CRL.A. No. 1 of 2008.

List this appeal for final hearing after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP (C)NO. 357/2013

HON'BLE THE CHIEF JUSTICE

06.02.2014

Shri. P.T. Sangma, Advocate, present for the petitioner.

Shri. S. Sen Gupta, Govt., Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4 (four) weeks' time to file counter affidavit.

List after 4 (four) weeks.

CHIEF JUSTICE

Sylvana

WP (C)NO. 371/2013

HON'BLE THE CHIEF JUSTICE

06.02.2014

Shri. M.F. Qureshi, Advocate, present for the petitioner.

Shri. K.P. Bhattacharjee, Govt., Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4 (four) weeks' time to file counter affidavit.

List after 4 (four) weeks.

CHIEF JUSTICE

Sylvana

WP (C)NO. 372/2013

HON'BLE THE CHIEF JUSTICE

06.02.2014

Ms. P.Bhattacharjee, Advocate, present for the petitioner.

Shri. B. Deb Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 3 (three) weeks' time to file counter affidavit.

List after 3 (three) weeks.

CHIEF JUSTICE

Sylvana

WP (C)NO. 384/2013

HON'BLE THE CHIEF JUSTICE

06.02.2014

Shri. S.A. Sheikh, Advocate, present for the petitioner.

Shri. K.P. Bhattacharjee, Govt., Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4 (four) weeks' time to file counter affidavit.

List after 4 (four) weeks.

CHIEF JUSTICE

Sylvana

WP(CRL). No. 12 of 2013

6-2-2014

HON'BLE THE CHIEF JUSTICE

None present for the parties.

The petitioner is allowed to file rejoinder affidavit to the counter affidavit filed on behalf of respondent No.2 within a period of 2(two) weeks.

List after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 111 of 2013

6-2-2014

HON'BLE THE CHIEF JUSTICE

Shri MF Qureshi, Advocate, present for the petitioner.

Shri KP Bhattacharjee, Govt. Advocate, present for the respondents No. 1 and 2.

Shri K.Khan, Addl. Sr. Govt. Advocate, present for respondent No. 4.

Shri S.Sen, Advocate, present for respondent No. 3 and 5.

Learned counsel for the respondents No. 1 and 2 prays for and is allowed further 2(two) weeks' time to file the counter affidavit and no more time shall be granted to file the counter affidavit.

List after 2(two) weeks.

Meanwhile, the petitioner may file rejoinder affidavit to the counter affidavit filed on behalf of respondent No. 3 and 5 and the one filed on behalf of respondent No.4.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 232 of 2013

6-2-2014

HON'BLE THE CHIEF JUSTICE

Shri P.Nongbri, Advocate, present for the petitioner.

Shri R Deb Nath, CGC, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 3 (three) weeks' time to file the counter affidavit.

List after 3 weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 267 of 2013

6-2-2014

HON'BLE THE CHIEF JUSTICE

Ms. R.Dutta, Advocate, present for the petitioners.

Mr. S. Sen Gupta, Govt. Advocate, present for the respondents.

Learned counsel for the petitioners prays for and is allowed further 2(two) weeks' time to file the rejoinder affidavit.

List after 2(two) weeks.

Meanwhile, petitioners are allowed to get the notice served on respondent No.5 by hand, and file affidavit of service.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 282 of 2013

6-2-2014

HON'BLE THE CHIEF JUSTICE

Shri S Upadhaya, Advocate, present for the petitioner.

Shri R Deb Nath, CGC, present for the respondents.

Affidavit-in-opposition has been filed on behalf of respondents No, 1, 2 and 3. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah