

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
AB(SH) No. 43 of 2013

9.05.13

Heard Mr. S. Thapa, the learned counsel for the petitioner who submits that without any rhyme or reason an FIR has been lodged by the complainant and the police has registered as Rynjah P.S. Case No. 34(5) 2013 u/s 506 IPC. As a result the petitioner/accused is of the apprehension that he might be arrested at any point of time, so pre-arrest bail may be granted.

Also heard Mr. R. Gurung, the learned Addl. PP who submits that if pre-arrest bail is granted, the state has no objection but conditions may be imposed.

I have perused the CD.

On perusal of the CD, it is apparent that the accused has been arrested under Section 506 which is bailable under CrPC but the same has become unbailable in the state of Meghalaya by the Notification of the Governor. On further perusal of the CD, I could not satisfy myself that custody for the purpose of investigation is necessary. Therefore, I do not see any reason why pre-arrest bail should not be granted.

Accordingly, the petitioner/accused is allowed to go on pre-arrest bail with a sum of Rs. 30,000/- with one surety of the like amount on the following conditions.

- i) The petitioner/accused shall appear before the IO concerned continuously for 3(three) days w.e.f. 10.05.13 and thereafter as and when necessary by the IO.
- ii) The petitioner/accused shall not disturb the complainant in any manner and to maintain peace and harmony.
- iii) The petitioner/accused shall be bound to appear and face trial as and when necessary.

With these observations and directions, this instant bail application is allowed and the matter stands disposed of.

Registry is directed to return the CD to the learned Addl. PP immediately.

JUDGE

V. Lyndem.

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

9.05.13

Heard Mr. R. Jha, the learned counsel for the petitioner as well as Mr. K Khan, the learned senior Addl. PP.

Lower Court case record was placed before me. I have perused the Lower Court case record and I am not inclined to invoke Section 482 CrPC. Section 482 CrPC empowers the High Court as and when necessary to prevent the abuse process of law. In this instant case, I do not find any materials to satisfy myself that abuse process of law has occurred. Hence, the petition is rejected and stands disposed of.

Since the matter has already been charge-sheeted, let the accused face trial and the Lower Court is also directed to dispose of the matter expeditiously.

With these observations and directions, this instant petition stands disposed of.

Registry is directed to roll down back the Lower Court case record to the court concerned immediately.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CrI. Petn.(SH) No. 64 of 2012

9.05.13

Heard Mr. HS Thangkhiew, the learned senior counsel assisted by Mr. N Mozika, the learned counsel for the petitioner as well as Mr. R Debnath, the learned CGC.

List this matter on 16.05.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CrI. Petn.(SH) No. 65 of 2012

9.05.13

Heard Mr. HS Thangkhiew, the learned senior counsel assisted by Mr. N Mozika, the learned counsel for the petitioner as well as Mr. R Debnath, the learned CGC.

List this matter on 16.05.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
Crl. Petn.(SH) No. 37 of 2013

9.05.13

Heard Mr. ND Chullai, learned PP for the petitioner. Also heard Mr. R. Kar, the learned counsel for the respondent as well as the Addl. District Magistrate (J), Tura.

List this matter on 13.05.13 for Judgment & Order.

JUDGE

V. Lyndem.