

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
B.A. No. 27 of 2014

25.08.2014

Heard Mr. P.T. Sangma, learned counsel for the petitioner, who submits that the accused person, Mr. Robert K. Sangma was arrested and the case has already been charge-sheeted and is pending before the learned Sessions Judge, Nongpoh and also further submitted that he has moved the bail application many times, but the same was not considered by the learned Sessions Judge, Nongpoh.

On perusal of the Lower Court case record received as well as the petition, it appears that earlier bail application was moved before the High Court and this High Court passed an order, but the said copy is not enclosed with the petition and directed the petitioner to move the bail application before the learned Sessions Judge, Nongpoh and the learned Sessions Judge, Nongpoh is directed to consider the bail application after perusal of the C.D in proper context and to pass a speaking order for detaining the accused person in judicial custody during the trial.

I also observed that granting of bail should not be considered as a punitive measure until the court finds that release of the accused may hamper the trial. In such a case, the court may pass necessary order as found deemed fit and proper. Further, I am of the considered view that if trial commence, in that case bail application should be considered with any condition as the learned Sessions Judge found deemed fit and proper.

Court Master is directed to send the Lower Court case record along with a copy of this order.

With this observation and direction, this instant bail application stands disposed of.

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CONT.CAS(C) No. 19 of 2014

25.08.2014

Heard Mr. K. Paul, learned counsel for the petitioner, who submits that the learned counsel, Mr. S. Sen is appearing for the respondent.

List this matter before any other Bench without me i.e. (Hon'ble Mr. Justice, S.R. Sen, J).

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CRL.M.C. No. 7 of 2104

25.08.2014

List this Misc. Case along with ***CRL.PETN. No. 11 of 2014*** after a week.

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CRL.PETN. No. 11 of 2014

25.08.2014

Mr. S.P. Mahanta, learned Sr. counsel is present for and on behalf of respondents' No. 2, 3 and 4.

Mr. B. Bhattacharjee, learned counsel appeared for respondent No. 5, Mr. P. Nongbri, learned counsel appeared for and on behalf of the petitioner and Mr. K. Khan, learned counsel appeared for respondent No. 1.

The learned counsel for respondent No. 5, Mr. B. Bhattacharjee submits that he is going to file the affidavit today itself and also going to serve the copy to the other learned counsels including the petitioners' counsel.

Since the learned counsel is going to file affidavit and Mr. K. Khan, learned counsel for respondent No. 1 informed the court that C.D has already been received, list this matter for hearing.

Accordingly, list this matter after a week for hearing.

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CRL.PETN. No. 21 of 2014

25.08.2014

Heard Mr. K. Paul, learned counsel for the petitioner.

Issue notice to the respondents. Since State respondent's counsel, Mr. S. Sen Gupta is present and accepted the notice, no formal notice is called for. Call for the C.D.

Petitioner's counsel is also directed to take steps to serve the notice upon the private respondent within 3(three) days.

List this matter after a week.

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CRP. No. 19 of 2014

25.08.2014

Heard Ms. K. Chisa, learned counsel for the petitioner.

The respondent entered appearance through the learned counsel, Mr. J.M. Thangkhiew who submits that, as he had entered appearance today, he needs to file a counter affidavit.

Prayer is allowed.

Petitioner's counsel is also directed to furnish a copy of the petition to the learned counsel for the respondent.

List this matter after 2(two) weeks.

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
MC(CRP) No. 20 of 2014

25.08.2014

Heard Mr. K. Khan, learned counsel appearing for and on behalf of the petitioner who filed this instant Misc. Case praying for substitution of one Mr. Phosking Turina as respondent No. 1 who died as per the information received from the respondents' counsel, Mr. J.M. Thangkhiew.

The learned counsel, Mr. J.M. Thangkhiew is also present who has consented to the submission of the learned counsel, Mr. K. Khan. Therefore, I do not see any impediment to substitute Mr. Phosking Turina, Secretary of the Ngunwar as respondent No. 1.

Accordingly, petition is allowed.

Registry is directed to do the necessary correction and also to issue notice to the newly impleaded substitution Mr. Phosking Turina.

Petitioners' counsel to take necessary steps.

This Misc. Case Petition stands disposed of.

JUDGE

D. Nary

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
W.P. (CRL) No. 5 of 2014

25.08.2014

List this matter tomorrow i.e. **26.08.2014** for hearing.

JUDGE

D. Nary