

**IN THE COURT OF ADDL. DISTRICT & SESSION JUDGE
AIZAWL JUDICIAL DISTRICT, AIZAWL**

Anticipatory Bail No. 9/2014

N. Joshua S/o N. Zareia
R/o Zemabawk, Aizawl

: Applicant

Versus

State of Mizoram

: Opposite party

Date of Order

: 23.06.2014

BEFORE

Smt. Helen Dawngliani, Addl. District & Session Judge

PRESENT

For the Applicant

: Mr. T.J. Lalnuntluanga, Advocate

For the State

: Mrs. Rose Mary, Addl. PP

ORDER

Ld. Counsels for the parties are present.

No Report is received from the OC, Bawngkawn PS.

It is seen from the record that Report has been sought for since 19.5.2014 regarding the FIR dt.3.3.2014 submitted by A. Zahnuni. Till date, no Report is received and no information is received as to why the Report could not be furnished. The in action on the part of the OC, Bawngkawn PS leaves no option for this Court but to draw an adverse inference and proceed on with the matters solely on the statements made in the application.

Upon perusal of the record, it is seen from the application that the applicant had borrowed some amount of money from the said A. Zahnuni and could not repay her in time. Being aggrieved, the said A. Zahnuni approach the Police at Bawngkawn PS on 3.3.2014 by filing an FIR and the applicant was also called to the PS by the Police. At the PS, the applicant was forced to have executed an undertaking to repay his debt by the end of April 2014. However, due to certain problems, the applicant could not repay his debt. The applicant apprehend arrest since the FIR was already lodged and he was summoned by the Police. The application also contains a statement that the applicant has suffered multiple fracture of right legs both tibia and fibula.

Also heard the Id. Counsel for the applicant who relying on the application submitted that in view of the developments that had already taken place, there is every likelihood of the applicant being arrested of a Non-Bailable offence.

In the absence of any Objection or Report from the concerned Police Station, this Court has no other option but to believe the statements made in the application. Upon

perusal of the application, I am satisfied that reasonable ground has made out for the applicant to apprehend arrest.

Accordingly, in the event of arrest, applicant N. Joshua shall be released on bail

With the above Order, the application stands disposed of.

Sd/- HELEN DAWNGLIANI

Addl. District & Session Judge
Aizawl Judicial District, Aizawl

Memo No:...../AD & SJ (A)/2014 : Dated Aizawl, the 23rd June, 2014
Copy to :-

1. Applicant N. Joshua through Mr. T.J. Lalnuntluanga, Advocate.
2. Officer-in-Charge, Bawngkawn Police Station.
3. Registration Section.
4. Guard File.
5. Case Record.
6. Calendar Judgment.

P E S H K A R