

IN THE COURT OF ADDITIONAL SESSIONS JUDGE
AIZAWL JUDICIAL DISTRICT, AIZAWL, MIZORAM.

Present : Shri Vanlalenmawia, MJS
Additional Sessions Judge,
Aizawl Judicial District, Aizawl.

Anti Bail Application No. 9 of 2017

Aizawl P.S. Case No. 417/2016 U/s 407 IPC

Shri Lalduhawma
H/o Khawlroliani,
R/o Zarkawt, Aizawl, MizoramApplicant

-Versus-

State of Mizoram.Opposite Party.

APPEARANCE

For the State : Smt. Lilyparmawii Hmar, Addl. P.P.
For the accused : Shri. R. Lalhmingmawia, Advocate

Hearing : 15.3.2017
Order delivered on : 20.3.2017

ORDER (O R A L)

The application filed by the petitioner under Section 438 of Cr PC for seeking pre-arrest bail is disposed off today.

2. In the instant case, the petitioner is booked under section 407 of IPC. The brief case of the petitioner is that some articles having value of Rs. 2,74,415.84/- were dispatched to the complainant by M/S H.K. Logistics (In short "Transportation Company"). But, the articles were not received by the complainant. According to the complainant, the petitioner had committed breach of trust.

3. The Case I.O. SI Dhyan Singh Minhas appeared before me.

4. The learned Counsel Shri R. Lalhmingmawia submitted that the petitioner is innocent. According to him, the petitioner filed FIR against a staff of HK Logistic, but the FIR was not entertained by the Officer-in-Charge, Aizawl Police Station. He also submitted that SI Deepak Pathak is not the Case I.O. in the instant case.

5. On the other hand, the Id. Addl. PP Smt. Lilyparmawii Hmar for the State submitted that there is a clear case in the instant case. Hence, the State Counsel made a strong prayer to refuse Bail.

6. I have given due consideration to the submission made by the learned Counsels for the parties. I do not find any reason why Anticipatory Bail Application filed by the petitioner will not be allowed. Accordingly, Anticipatory Bail Application is allowed.

Order is prepared and delivered in the open court on this 20th day of March, 2017 under my hand and seal.

(VANLALENMAWIA)
Addl. Sessions Judge-II
Aizawl Judicial District,
Aizawl, Mizoram.

Memo No. _____AD&SJ(A)-II/2017 : Dated Aizawl, 21st February, 2017
Copy to: -

1. B. Lallawmzuala through Counsel Shri C. Lalrinchunga, Advocate.
2. Sessions Judge, Aizawl Judicial District, Aizawl.
3. Addl. PP / APP, Aizawl.
4. Superintendent of Police, Aizawl District, Aizawl.
5. Officer-in-Charge, Bawngkawn Police Station.
6. Investigating Officer through Officer-in-Charge, Bawngkawn Police Station.
7. Registration Section.
8. Guard File.
9. Case Record.
10. Calendar Judgment.

P E S H K A R