

PETITIONER:
STATE OF ASSAM & ANR.

Vs.

RESPONDENT:
R.K. KRISHNA KUMAR & ORS. ETC., DR. BROJEN GOGOI & OTHERS

DATE OF JUDGMENT: 24/10/1997

BENCH:
M.K. MUKHERJEE, K.T. THOMAS

ACT:

HEADNOTE:

JUDGMENT:

THE 24TH DAY OF OCTOBER, 1997

Present:

Hon'ble Mr. Justice M.K. Mukherjee

Hon'ble Mr. Justice K.T. Thomas

K.T.S. Tulsi, and Santosh N. Hegde, Sr. Adv., Sunil K. Jain, Vijay Hansaria, J.K. Bhatia, Vikas Pahwa, Adv. for M/s. Jain Hansari, & Co., Advs. with them for the appellants. Gopal Subramanian, Sr. Adv., Ashok Bhan, Ms. Bina Gupta, Ms. Rakhi Ray, Mahesh Jethmalani, R.N. Karanjawala, U. Hazarika, Ms. Nandini Gore, (Bhaskar Pradhan) Adv. for Ms. M. Karanjawala, Adv. with him for the Respondents.

J U D G M E N T

The following Judgment of the Court was delivered:
Thomas, J.

Leave granted,

This appeal is in challenge of the order of a learned single Judge of the Bombay High Court granting anticipatory bail to the respondent No. 1. When this petition was taken up for hearing, his learned Counsel brought to our notice that in spite of the above order the Assam police arrested respondent No. 1 and took him into custody. Thereby, he submitted, the appellants have violated the direction of the Bombay High Court in the impugned order.

Shri K.T.S. Tulsi, the learned counsel appearing for the appellants, while conceding that respondent No.1 was arrested, joined issue with him on the contention that appellant violated the direction of the Bombay High Court. He put forward the stand of the State of Assam for not releasing him on bail.

We do not think it necessary to deal with the said controversy in this appeal. If the respondent No. 1 wants to raise that question it is open to him to move the appropriate forum.

As the respondent No. 1 is now under arrest this appeal has become infructuous. It is accordingly dismissed.