

ITEM NO.16

Virtual Court 6

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2581-2582/2020

(Arising out of impugned final judgment and order dated 19-05-2020 in AB No. 2829/2019 and order dated 06-05-2020 in AB No. 2829/2019 passed by the Gauhati High Court)

AINUL HOQUE MOLLA

Petitioner(s)

VERSUS

THE STATE OF ASSAM

Respondent(s)

(IA No.51560/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 09-06-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Ms. Maneka Guruswamy, Sr.Adv.
Mr. Fuzail Ahmad Ayyubi, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Learned senior counsel for the petitioner seeks to contend that the bail order was granted to the petitioner after due consideration by order dated 29.8.2019 and the petition was disposed of on 13.11.2019. While considering the bail application of the co-accused, another Learned Judge (albeit the Chief Justice) while declining bail has proceeded to issue notice to the petitioner on the premise that the bail was granted erroneously earlier. It is her submission that there is no such power of review in such a matter and thus the bail already granted could not

have been reviewed in this manner by another Learned judge on the judicial side.

Issue notice.

The proceedings against the petitioner in Case No.AB 2829/2019 pending before the Gauhati High Court are stayed in the meanwhile.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR