

IN THE COURT OF APPEAL, FIJI
ON APPEAL FROM THE HIGH COURT OF FIJI

CRIMINAL APPEAL AAU 88 OF 2016
(High Court HAC 180 OF 2016)

BETWEEN : RAKESH CHARAN
Appellant

AND : THE STATE
Respondent

Coram : Calanchini P
Guneratne JA
Bandara JA

Counsel : No appearance for the Appellant
Mr. M. Korovou for the Respondent

Date of Hearing : 13 February 2017

Date of Ruling : 31 March 2017

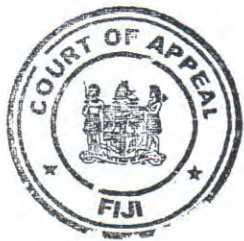
RULING

[1] The Appellant was charged with an offence under section 5 of the Illicit Drugs Control Act 2004.

- [2] On 10 June 2016 the Appellant applied in the High Court for bail pending trial. His application was refused on 23 June 2016. On 21 July 2016 the Appellant filed a notice of appeal in this Court against the decision refusing bail pending trial pursuant to section 21(3) of the Court of Appeal Act Cap 12.
- [3] On 5 August 2016 the Appellant filed an application for leave to abandon the appeal on the basis that the High Court on 29 July 2016 granted bail pending trial.
- [4] As the Appellant has now been granted bail pending trial, the appeal in this Court has been overtaken by those events and is as a consequence dismissed.

Order:

Appeal against decision refusing bail pending trial is dismissed.



W. Calanchini

Hon Mr Justice Calanchini
President, Court of Appeal

J. G. Guneratne

Hon Mr Justice Guneratne
Justice of Appeal

H. G. Bandara

Hon Mr Justice Bandara
Justice of Appeal