

GAHC010028152024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : AB/337/2024

PANKAJ NATH
S/O LATE DHARANI NATH
TETELIASARA AATHICHUK
P.S. KAMPUR, DIST.NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY PP, ASSAM

Advocate for the Petitioner : MR. P BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

04.06.2024

- 1.** Heard Mr. P. Bora, learned senior counsel for the petitioner, Shri Pankaj Nath.
- 2.** This application has been filed by the petitioner under Section 438 of the Cr. PC as he is apprehending arrest in connection with Kampur P.S. Case No.

09/2024 under Section 326/307 of the IPC.

3. Heard Ms. N. Das, learned Additional Public Prosecutor for the respondent State.

4. The allegation against the petitioner is that on 30.01.2024 at about 9 a.m. the petitioner assaulted the victim, Bhaskar Bora causing grave injuries with a sharp weapon with intention to commit murder.

5. The learned Additional Public Prosecutor has raised objection stating that there are incriminating materials in the Case Diary against the petitioner.

6. The victim has suffered grave injuries on his head caused by blunt weapon.

7. I have considered the submissions at the Bar with circumspection.

8. I have also scrutinized the Case Diary.

9. The petitioner is booked under Section 307/326 of the IPC.

10. There appears to be no justified ground to extend the privilege of anticipatory bail to the petitioner at this stage of investigation.

11. Petition is rejected.

12. Send back the Case Diary.

13. Interim order stands vacated.

JUDGE

Comparing Assistant