

GAHC010043462024



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

Case No. : Bail Appln./631/2024

NITUL CHANDRA DAS
SON OF LATE FATIK DAS, R/O- BARIBARI, P.O. BARIBARI, P.S.
MUKALMUA, DISTRICT- NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR R CHETRY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

05.03.2024

Heard Mr. R. Chetry, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State of Assam.

This is a second bail application under Section 439 of Code of Criminal Procedure, 1973, filed by the accused petitioner, namely, Nitul Chandra Das,

who was shown arrested on 18.12.2023 in connection with Bharalumukh P.S. Case No. 362/2023, registered under Section 420/406/409/468/471/34 of the Indian Penal Code.

The bail application of the petitioner was earlier rejected by this court, by order dated 30.01.2024.

Mr. R. Chetry, learned counsel for the petitioner submits that the petitioner has been languishing in jail since last 78 days.

Mr. P. Borthakur, learned Additional Public Prosecutor, on the other hand, strongly opposes the prayer for regular bail and submits that there has been no change in circumstances to be enlarged on bail.

I have heard the submissions made at the bar and perused the materials on record.

Considering the gravity of the matter, this court earlier by order dated 30.01.2024 rejected the bail application of the petitioner.

It appears that besides the length of detention, there has been no such change in the circumstances seeking for bail.

Be that as it may, considering the gravity and the fact that the petitioner is habitually involved in the matter of similar offences, this court is not inclined to grant the privilege of bail at this stage.

Accordingly, prayer for second bail application stands rejected.

JUDGE

Comparing Assistant