

GAHC010073862024



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

Case No. : AB/958/2024

ATIQUL ISLAM
R.O - GOHAIN DOLONI, BIHPURIA, LAKHIMPUR, P.O - SONAPUR, P.S -
BIHPURIA, MOUZA - LALUK, DIST - LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MS. M MALAKAR

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

01.05.2024

This is an application under Section 438 Cr.P.C. filed by the petitioner, Atiquil Islam, praying for granting him pre-arrest bail in connection with Bihpuria PS case NO. 06/2024 under Section 447/341/326/34 IPC (corresponding to GR Case No. 27/2024)

Case diary as called for has been produced by the learned Additional Public Prosecutor, Assam.

Perused the same along with statement of victim and injury report.

From the aforesaid it is found that the petitioner gave victim blow on his head with a 'Khanti' (iron instrument used for digging earth) and the victim fell down on the ground. The other witnesses also implicated the petitioner in commission of the offence. None of the witnesses implicated other in assaulting the injured. From the Xerox copy of the Discharge Certificate, which is available in the case diary, it is seen that the victim Fajar Uddin sustained craniocerebral injury with soft tissue injury due to alleged physical assault.

Considering the aforesaid, this court is of the view that this is not a fit case for granting privilege of pre-arrest bail to the petitioner. Accordingly, the present bail application stands rejected.

JUDGE

Comparing Assistant