

GAHC010086172024



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

Case No. : AB/1125/2024

ANUP OJAH
S/O LATE HASMOT OJAH
R/O GANDHIBASTI MASJID ROAD,
P.S. CHANDMARI, GUWAHATI,
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. A GANGULY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 14.05.2024

Heard Mr. A. Ganguly, learned counsel for the petitioner. Also heard Mr. D. Das, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

This second anticipatory bail application under Section 438 Cr.P.C., is filed for granting the privilege of pre-arrest bail to the petitioner, namely, **Sri Anup Ojah**, who is apprehending arrest in connection with **Crime Branch P.S. Case No. 3/2024** registered u/s **120(B)/420/468/471/409** of the IPC.

Pertinent to mention that by order dated 11.03.2024, this Court, after taking the entirety of the facts and circumstances of the case and going through the case diary produced before the Court, rejected the prayer of anticipatory bail of the petitioner.

Mr. A. Ganguly, learned counsel for the petitioner submits that the elder brother of the petitioner, i.e., Jakir Ojah, is the mastermind in the alleged land grabbing offence and has executed the sale deed on 09.06.2006 in favour of the petitioner. He submits that the said fact was not brought to the notice of this Court in the first anticipatory bail application.

Mr. D. Das, learned Addl. Public Prosecutor, submits that there has been no change of circumstances warranting grant of anticipatory bail in the second anticipatory bail application.

I have heard the learned counsels for the parties and perused the materials available on record.

This Court rejected the prayer of anticipatory bail earlier after evaluating and analysing the entire materials placed before the Court.

There appears no change of circumstances warranting grant of anticipatory bail as sought for in the instant second bail application.

Accordingly, the application stands rejected.

This anticipatory bail application accordingly stands disposed of.

JUDGE

Comparing Assistant