

GAHC010144942024



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

Case No. : AB/1883/2024

HASAN AHMED LASKAR
S/O JAMAL UDDIN LASKAR, R/O DAKSHIN MOHONPUR PART-1, P.O.-
SONAI, P.S.-SILCHAR, DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R MAJUMDAR, MS. J GHOSH, MR. JUNM LASKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

14.08.2024

1. Heard learned counsel Mr. J. Ghosh for the petitioner Hasan Ahmed Laskar.
2. The petitioner has filed this application under Section 482 of the BNSS, 2023/Section 438 of the Cr.PC with prayer for pre-arrest bail as he is apprehending arrest in connection with Silchar Police Station Case No. 361/2024

under Section 120(B)/379/406/420 of the IPC.

3. Heard Mr. M. P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.
4. The FIR unfolds that the informant Dipak Rabidas met the petitioner on 03.04.2024, who stated that he had would provide employment to the informant but the informant has to provide him with a motor-cycle. The petitioner then apprised the informant that he had no money to purchase the bike and a deal was struck between both the parties that a motor-cycle would be purchased by the informant and the petitioner would pay the down-payment for the bike. Both the informant and the petitioner went to the showroom and then after purchasing the bike, the petitioner in the pretext of taking a test drive disappeared along with the motor-cycle.
5. It is submitted by the learned Additional Public Prosecutor that the magnitude of the offence does not entitle the petitioner to pre-arrest bail.
6. I have scrutinized the Case Diary. Indeed there are incriminating materials in the Case Diary against the petitioner.
7. The FIR prima facie reveals that there are incriminating against the petitioner.
8. At this juncture, there appears to be no justified ground to extend the privilege of anticipatory bail to the petitioner.
9. Hence, petition stands rejected at this stage.
10. Send back the Case Diary.

JUDGE

Comparing Assistant