

GAHC010148092024



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

Case No. : AB/1931/2024

KRISHNA KANTA GOGOI
S/O SRI ACHUT GOGOI
R/O DULIAGAON
P.S. DULIAGAON,
DIST. DIBRUGARH, ASSAM,

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MD IMRAN, MR D SAIKIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

19.12.2024

1. Heard Mr. D. Saikia, learned counsel for the petitioner Krishna Kanta Gogoi.
2. The petitioner has filed this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as he is

apprehending arrest in connection with Duliajan P.S. Case No. 75/2024 under Sections 457/326/294/34 of the IPC.

3. Heard Mr. K. K. Das, learned Additional Public Prosecutor, Assam for the respondent State.

4. The allegation against the petitioner is that he has caused grievous hurt on the injured person Latumoni Rajkonwar on a vital part of his body near his eye area.

5. I have scrutinized the Case Diary.

6. Learned Additional Public Prosecutor has raised objection stating that there are incriminating materials in the Case Diary against the petitioner. The petitioner underwent kidney stone operation. The petitioner has appeared before the Investigating Officer and his statement has been recorded.

7. I have considered the gravity of the offence. Investigation is still under progress.

8. Considering all aspects and without commenting on the merits of the case, the petitioner's prayer for Anticipatory bail is rejected. At this juncture, it appears that there is no justified ground to extend the privilege of Anticipatory bail to the petitioner.

9. Petition stands rejected at this stage.

10. Send back the Case Diary.

JUDGE

Comparing Assistant