

GAHC010159002024



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

Case No. : Bail Appln./2341/2024

ARUP DAS
S/O LATE NAREN DAS, R/O VILL- JALKHANA, TIHU, P.O.-JALKHANA, P.S.-
TIHU, DIST- NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. T J MAHANTA, MR. R SARMA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 13.09.2024

Heard Mr. T.J. Mahanta, learned senior counsel, assisted by Mr. R. Sarma, learned counsel for the petitioner. Also heard Mr. R.J. Baruah, learned APP appearing for the State.

2. The petitioner, Arup Das, who was arrested on 25.06.2024 and has spent 80 days in custody, is seeking regular bail under section 483 of BNSS,

2023 in connection with Dispur P.S. Case No. 645/2024, under section 302/34 IPC, corresponding to G.R. Case No. 3704/2024.

3. The learned APP has produced the case diary and has opposed the prayer for bail on the ground that the petitioner is involved in the murder of the husband of the co-accused.

4. On a perusal of the case diary, it appears that there are sufficient incriminating materials showing involvement of the petitioner in the murder of one Ditumoni Haloi along with co-accused. The investigating officer suspects that there was some illicit relationship between the petitioner and the co-accused, who is the wife of the deceased, which came to the notice of the deceased, upon which he was assaulted. The two minor children of the deceased were eye witnesses of the commission of offence.

5. In view of the nature of disclosure made in the case diary, the Court does not find this to be a fit case to release the petitioner, namely, Arup Das at this stage.

6. Case diary is returned.

7. Application stands disposed of.

JUDGE

Comparing Assistant