

GAHC010170412024



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

Case No. : Bail Appln./2525/2024

RAJIB MUSHAHARY
S/O LT. RAJEN MUSHAHARY, R/O PADMAPUKHURI, P.S.-GOSSAIGAON,
DIST-KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR R A AHMED, N NATH, MR B ISLAM, MR M AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

16-09-2024

Heard Mr. M. Ahmed, learned counsel for the petitioner and Mr. B. B. Gogoi, learned Additional Public Prosecutor, Assam for the State.

2) By this application under Section 483 of the BNSS Act, 2023, the petitioner, namely, **Rajib Mushahary**, seeking regular bail in Gossaigaon P.S. Case No. 33/2020 corresponding to G.R. No. 41/2020 registered under Section 304B IPC, wherein, he was in judicial custody since 25.07.2024.

3) Earlier, the petitioner preferred a pre-arrest bail application, being AB No.

2114/2023 in said Gossaigaon P.S. Case No. 33/2020 and on perusal of the case diary, medical report of the deceased of R.N.B. Civil Hospital, Kokrajhar as well as the statements of the witnesses acquainted with the facts of the case recorded by the concerned Investigating Officer, finding incriminating materials, such pre-arrest bail prayer of the petitioner in said Gossaigaon P.S. Case No. 33/2020 was rejected by this Court vide order dated 26.06.2023.

4) Though by orders dated 22.08.2024 and 03.09.2024, the concerned Investigating Officer of said Gossaigaon P.S. Case No. 33/2020 was directed to place the up-to-date status report pertaining to the investigation of said Gossaigaon P.S. Case No. 33/2020 along with the copy of the post mortem report of the deceased, Mr. Gogoi, learned Addl. P.P., Assam submitted that after completion of the investigation of the case, the concerned Investigating Officer of the case on 31.07.2024 submitted the charge in said Gossaigaon P.S. Case No. 33/2020 vide charge-sheet No.106/2024.

5) In view of the above, the petitioner may approach the appropriate forum for his regular bail in said Gossaigaon P.S. Case No. 33/2020.

6) Accordingly, this bail application, being infructuous, stands dismissed.

JUDGE

Comparing Assistant