

GAHC010181682024



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

Case No. : AB/2338/2024

ATIKUL ISLAM
S/O LATE AFZAL HUSSAIN
R/O MANGALDAI, WARD NO. 2, P.O. AND P.S. MANGALDAI
DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM,
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR A KHANIKAR, R L CHUTIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 30.10.2024

Heard Mr. A. Khanikar, learned counsel appearing for the petitioner as well as Mr. M.P. Goswami, learned Additional Public Prosecutor for the state of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioner, Atikul Islam in respect of Sipajhar P.S. Case No. 115/2024.
3. On the day of occurrence, police went to arrest the present petitioner. Thereafter,

some people attacked the police party. Some of the policemen sustained injuries also.

4. The case diary reveals that the present petitioner knew that people will come to arrest him. Therefore, he instructed some persons to resist his arrest.

5. I have considered the submissions made by the learned counsels of both sides.

6. This Court is of the opinion that the petitioner is not entitled to the privilege of pre-arrest bail u/s 482 of the BNSS, 2023.

7. Therefore, the present application is found to be devoid of merit and stands disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant