

GAHC010195072024



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

Case No. : AB/2582/2024

USSABIR ALI
S/O LATE RUSTOM ALI
VILL- GARUMARA DOLONI
P.S. MAYONG
DIST. MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A M AHMED, P. GHOSH, MRS S RAHANA, B DAS
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

25.09.2024

Heard Mr. A. M. Ahmed, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor.

By filing this application under Section 482 of BNSS 2023, the petitioner has prayed for granting pre-arrest bail in connection with PRC Case No. 482/2024 under Section 120(B)/147/148/149/302/307 IPC arising out of Mayong PS Case No. 116/2023.

Learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence. Land dispute is prevailing between the parties and one of the accused involved in this alleged incident, has uttered his name to be involved in this case. It is further submitted that the petitioner was out of station at the relevant time of incident. Subsequently, he was shown as absconder in the charge-sheet. However, the petitioner is now ready to face the trial and prayed that benefit of pre-arrest bail be extended to the petitioner.

Mr. B. Sarma, learned Additional Public Prosecutor submits that charge-sheet has been laid under Section 302/307 IPC and the accused was not available during investigation. So, he may be allowed to appear before the trial court seeking regular bail.

I have considered the submissions made by the learned counsel for the parties. It appears from the record that summons were issued to the petitioner.

In view of the above, the petitioner is directed to appear before the trial court and in the event of filing any bail application, the trial court will consider of the matter in accordance with law.

Accordingly, the bail application stands disposed of.

JUDGE

Comparing Assistant