

GAHC010228072024



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

Case No. : AB/2876/2024

MANJUWAR HUSSAIN
S/O ABUL HASSAIN, VILL- BHUYABARI PAM, P.O.-FALIHAMARI, P.S.-
LAHARIGHAT, DIST- MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J AHMED, R BEGUM, MS A HUSSAIN
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 21.11. 2024

Heard the learned counsel Mr. J. Ahmed for the petitioner, Nanjuwar Hussain who has filed this bail application under 482 BNSS, 2023 with a prayer for pre- arrest bail as he is apprehending arrest in connection with Laharighat P.S. Case No. 191/2024 under Section 89 BNS, 2023.

Heard Mr. R.R. Kaushik, learned Addl. Public Prosecutor, Assam, appearing for the State respondent, who has submitted that there are incriminating materials against the petitioner and considering the gravity of offence, the

petitioner is not entitled to anticipatory bail, as there are direct allegations against him.

Learned counsel for the petitioner, Mr. J. Ahmed, on the other hand has submitted that the petitioner is innocent and he is falsely implicated in the alleged offence and the informant never visited the petitioner's pharmacy. The informant's relatives intended to construct a brick kiln at a place where large number of villagers and the victim and the informant reside and the petitioner/accused and his neighbours were always against the construction of brick kiln and filed complaint before the concerned authorities against the proposals.

The case diary is received and perused.

I have scrutinized the case diary. There are indeed incriminating materials against the petitioner and at this juncture, I am not inclined to grant pre-arrest bail to the petitioner.

Considering the entire aspect of the matter and in view of the foregoing discussion, the petition stands rejected at this stage.

Bail application is dismissed.

Send back the case diary.

JUDGE

Comparing Assistant