

GAHC010235242024



2024:GAU-AS:11505

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

Case No. : AB/2963/2024

SHOHIDUL ISLAM
S/O AMIR ALI
VILL- KHAMERI
P.S. NAGARBERA
DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. N UDDIN, MS. A AKHTAR, MR S K CHHETRY, MR. M ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

22.11.2024

Heard learned counsel, Mr N Uddin, for the petitioner, Shohidul Islam, who has filed this application under Section 482 of the CrPC, with prayer for pre-arrest bail as he is apprehending arrest in connection with Nagarbera PS Case No. 102/2024, under

Section 103 (1) of the BNS, 2023.

2. Heard Mr R R Kaushik, learned Additional Public Prosecutor for the State respondent.

3. The learned Additional Public Prosecutor has raised serious objection stating that there are incriminating materials in the Case Diary, against the petitioner.

4. The allegation against the petitioner is that he is responsible for the death of the one-month old child of the informant.

5. I have also scrutinized the Case Diary

6. Indeed, there are incriminating materials in the Case Diary against the petitioner.

7. The offence is of a grave nature and the petitioner is indeed not entitled to anticipatory bail.

8. Investigation is still under progress.

9. Petition stands rejected at this stage.

10. Send back the Case Diary.

JUDGE

Comparing Assistant