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

Case No. : Bail Appln./3505/2024

SRI KARUNA RAJBONGSHI
S/O SRI SAMIN DEY RAJBONGSHI
R/O KISHNA MANDIR, UJJAL NAGAR, KAHILIPARA, BHAGADUTTAPUR,
P.S. DISPUR, DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR H TALUKDAR, MR. K D SARMA, MRS. M DEKA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 02.12.2024

Heard Mr. K.D. Sharma, learned counsel appearing for the petitioner as well as Mr. D. Das, learned Additional Public Prosecutor for the state of Assam.

2. This is an application under Section 483 of the BNSS, 2023, whereby the petitioner, Karuna Rajbongshi has prayed to release him on bail, after he was

arrested in connection of Dispur P.S. Case No. 1063/2024.

3. On 01.10.2024 at about 9 PM, the deceased Keshab Baishya was bringing his rickshaw towards his home. He met the present petitioner and another person. The trio decided to consume more liquor. The deceased was already drunk. Therefore, the petitioner and the other person left the deceased at a particular place and went to bring more liquor. When the petitioner and the other person returned, they found that Keshab Baishya was lying dead at the aforesaid spot bleeding with injuries on his head injuries.

4. Mr. Das has submitted that viscera of the deceased was sent to FSL and the report of the FSL would be necessary.

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

6. The petitioner has already spent 61 days in judicial custody.

7. This Court is of the opinion that the petitioner no longer deserve to be detained in custody. Therefore, his bail application is allowed.

8. The petitioner, Karuna Rajbongshi, who was arrested in connection of Dispur P.S. Case No. 1063/2024 shall be released on bail of Rs. 25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

9. The bail application stands disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant