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

Case No. : Bail Appln./3740/2024

GANESH DAS
S/O KRISHNA DAS
VILL- KANA, BORAJAL
P.O. AND P.S. GHOGRAPAR
DIST. NALBARI, ASSAM, PIN-781369
PRESENT ADDRESS-
K.K. HANDIQUE NAGAR,
BYE LANE NO. 8, KAHILIPARA, BHAGADUTTAPUR, P.S. DISPUR, P.O.
DISPUR, DIST. KAMRUP (M), ASSAM, PIN-781019

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. U K DAS, H THAKURIYA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.12.2024

Heard Mr. U.K. Das, learned counsel appearing for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor for the state of Assam.

2. This an application u/s 483 of the BNSS, 2023, whereby the petitioner, Ganesh Das has prayed for releasing him on bail, after he was arrested in connection with

Dispur P.S. Case No. 1063/2024.

3. On 01.10.2024 at about 9 PM, Keshab Baishya, a rickshaw puller, was returning home in a drunken state. Before reaching home, he met two of his friends Karuna Rajbongshi and the present petitioner. They decided to have some more liquor. Therefore, Karuna Rajbongshi and Ganesh Das went to bring liquor. They returned after sometime and saw that Keshab Baishya was lying dead on the road side. At that time, he was bleeding from his head. Therefore, the petitioner informed the family members of Keshab Baishya.

4. Mr. Das has submitted that the postmortem report has been received but regarding the death of Keshab Baishya, there is no report from the doctor. The FSL report has also not yet arrived.

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

6. The present petitioner has already spent 72 days in judicial custody.

7. Under the given circumstances of the case, this Court is of the opinion that the petitioner no longer deserves to be detained in custody. Therefore, his bail application is allowed.

8. It is hereby directed that the petitioner, Ganesh Das, who was arrested in connection with Dispur P.S. Case No. 1063/2024, shall be released on bail of Rs. 20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

9. The bail application is disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant