GAHC010029212020

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

Case No. : AB 521/2020

1:RAJIB KHAN
S/O KHALIL KHAN, R/O VILL-RANGIYA, P.S.-RANGIYA, DIST-KAMRUP (R), ASSAM, PIN-781354

VERSUS

1:THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D R GOGOI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

Date : 23-06-2020

Heard Shri DR Gogoi, learned counsel for the petitioner, Rajib Khan, who has filed this application under Section 438 of the CrPC, praying for bail in connection Rangiya PS Case No.688/2019, under Sections 406/420 of the IPC, corresponding to GR No.1554/2019.

At the outset, Shri Gogoi, learned counsel has fairly submits that on an earlier occasion, this Court, vide order dated 15.11.2019 had rejected the prayer for anticipatory bail of the petitioner. The learned counsel, however, submits that thereafter in January, 2020, petitioner had sustained burn injury on his leg and in this connection, a prescription dated 04.01.2020 has been annexed to this application.

Shri BJ Dutta, learned Addl. Public Prosecutor, Assam, on the other hand, has produced the Case Diary which contains materials to substantiate monetary transaction of the complainants with the petitioner of substantial amounts.

This Court while rejecting the prayer for anticipatory bail, vide the order dated 15.11.2019 had perused the Case Diary. Though a fresh ground of burn injury suffered by the petitioner has been taken in this application, the injury was after almost two months after such rejection. Even from the date of injury, almost five months have elapsed.

In that view of the matter, this Court is of the opinion that no case for grant of anticipatory bail is made out.

Accordingly, the same is rejected.

JUDGE

Comparing Assistant