

BEFORE

HON'BLE MR JUSTICE UJJAL BHUYAN

This is an application under Section 438 of the Code of Criminal Procedure seeking pre-arrest bail to the petitioner, namely, Rumbang Basumatary apprehending arrest in connection with Kachugaon P.S. Case No. 31/2008 u/s 120(B)/121//121(A)/1 22/326/307/34 IPC read with Section 25(1)(a)/27 of the Arms Act read with Section 10/13 of the Unlawful Activities(Prevention) Act.

Heard Mr.K.Sharma, learned counsel for the petitioner. Also heard Mr.B.B.Gogoi, learned Addl. P.P, Assam, who has produced the case diary.

The allegation in the FIR is that the petitioner and few other persons belonging to a banned organisation i.e. NDFB fired with AK 47 rifles indiscriminately injuring few persons. Mr.Gogoi submits from the case diary that the victims have identified the petitioner as part of the gang and prima-facie involvement of the petitioner in the offence is made out. .

In view of the above, this Court is not inclined to grant pre-arrest bail to the petitioner. Accordingly, the prayer for pre-arrest bail is rejected.