

AB 3143/2017

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

Heard Mr. GC Kalita, learned counsel for the petitioner and M. B Sharma, learned Additional Public Prosecutor, Assam for the respondent.

This is a second application filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner, namely, Bhagaban Kalita in connection with G hograpar P.S. Case No. 152/2017 registered u/s 458/ 354/ 326/325/34 IPC.

The grounds taken in support of the prayer for anticipatory bail are that the allegation against the petitioner has been made on false pretext and secondly, the mother of the petitioner is suffering from sort of ailment. In support of the second ground taken, medical document has also been annexed with the application.

Perused the FIR and the other materials available on record.

This Court, while passing the order dated 11.12.2017 in AB 2692/2017, has observed after going through the case diary that there are sufficient materials in the case diary including testimony of witnesses suggesting serious complicity of the present petitioner and in the process the informant and her mother sustained severe injuries on their persons.

The grounds taken in the present application are not enough to discard the above findings so as to re-consider the prayer for anticipatory bail.

The anticipatory bail application is rejected.