

GAHC010189792024



2024:GAU-AS:11886

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

**Case No. : AB/2477/2024**

MOSAMADDIN ALI @MD MUSAMUDDIN  
S/O OCHMAN ALI  
R/O VILL- KUARPARA,  
P.O. DEOMARNOI, P.S. SIPAJHAR, DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. R Deka, S I AKAND

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**  
**ORDER**

**29.11.2024**

Heard learned counsel, Mr S I Akand, for the petitioner, Md Mosamaddin Ali @ Md Musamuddin, who has filed this application under Section 482 (1) of the BNSS, 2023, with prayer for pre-arrest bail, as he is apprehending arrest in connection with Sipajhar PS Case No. 64/2024, under Sections 302/34 of the Indian Penal Code, 1860

2. Heard Mr B Sarma, learned Additional Public Prosecutor, Assam for the respondent State.
3. Learned Additional Public Prosecutor has raised serious objection stating that this is a subsequent application. The earlier bail petition was rejected after perusal of the Case Diary, as there are incriminating materials in the Case Diary against the petitioner.
4. I have also scrutinized the Case Diary.
5. Indeed there are incriminating materials in the Case Diary against the petitioner.
6. It appears that investigation may be adversely affected if the petitioner is admitted to bail.
7. At this juncture, there appears to be no justified ground to extend the privilege of pre-arrest bail to the petitioner.
8. Petition stands rejected at this stage.
9. Anticipatory Bail Application stands disposed of.
10. Send back the Case Diary.

**JUDGE**

**Comparing Assistant**