

12.02.2020:

The bail petition no. 206/2021 filed u/s 438 CrPC by the petitioner, namely, Sri Abhishek Baruah in connection with Behali PS Case No. 01/2021 u/s 420 IPC is taken up as the case diary as called for is received.

Heard learned counsel for both the sides.

It has been submitted by the learned counsel for the petitioner that the accused petitioner is innocent and no offence u/s 420 IPC has been committed by him.

Perused the case diary.

The informant is a police officer attached with the Behali PS. In the 'ejahar' dated 03.01.2021 lodged with the OC of the same PS, the informant referring to the GD Entry no. 58 dated 03.01.2021 of his PS stated that after receiving an information that the accused has been using a false registration number on a white Bolero vehicle for a long time, the vehicle was seized. The accused could not show any document relating to the vehicle. From the sources he could learn that the registration number found on the vehicle belonged to a TVS Jupiter Scooter. He alleged that the accused had been fraudulently using sticker- "PRESS" on both the front and rear glasses of the vehicle and thereby he has been duping the public and also the government from tax.

From the materials in the case diary, it appears that the Investigating Officer has almost completed investigation of the case and vide his noting dated 18.01.2021 he reflected that a case against the accused u/s 420 IPC is found to be well established against the accused and on the direction of his superior officers he has taken steps to submit chargesheet against the accused petitioner accordingly.

Considering the allegations leveled against the accused petitioner, the offences charged and the materials so far collected against him, I find that this is a fit case wherein the benefit of pre-arrest bail can be extended to the petitioner. Hence, the petition is allowed.

Accordingly, the O/C of Behali P.S. is directed to release the petitioner in the event of his arrest in connection with the instant case, after obtaining a bail bond of Rs.10,000/- with one surety of the like amount on the conditions that- (1) the petitioner shall appear before the O.C. of the concerned P.S. within two days, (2) the petitioner shall make himself available for interrogation by the Investigation Officer of the instant case as and when required, (3) he shall not hamper with the investigation, or temper with the evidence of the case, (4) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Investigating Officer.

Inform the O/C of the concerned P.S.

Send back the case diary.

The Misc. Case is disposed of, accordingly.

