

Misc. (Crl.) Case No. 241/2021

ORDER

16-08-2021

Seen petition No. 797/2021 filed by Parmina Begum seeking bail for accused Imanul Haque in connection with Tezpur PS Case No. 1115/2021 u/s 341/353/376/511/325/307 IPC.

I have heard the learned lawyers appearing for both sides and also gone through the contents of the case diary received today.

The learned counsel for the State submitted that the allegation against the accused is serious in nature.

On the other hand, learned counsel for accused submitted that the accused has been languishing in jail since 02-06-2021 for a period about 75 days and there is no need to further detain the accused for the purpose of investigation of the case. Therefore, learned counsel for accused insist for bail.

Having heard the arduous contention of learned lawyers appearing for both sides and on careful perusal of contents of the case diary, it transpires that on 01-05-2021 at about 7.30 PM while the informant was proceeding to duty accused followed her and grabbed her behind her back in a dark lonely place inside the mental hospital campus and made a serious attempt to commit rape on her and put his finger on her mouth to prevent her from shouting but in spite of that the victim somehow shouted and she was providentially escaped due to interference of people residing nearby in the campus.

It is seen that a working woman going to attend her work is not even safe within the heavily constructed four wall of the campus of Mental Hospital, Tezpur. The accused made a very heinous attempt, even though, he was not succeeded in his mission. Nevertheless, it carries half of the substantive punishment prescribed for the offence attempted to be committed by accused.

Therefore, considering the nature and gravity of the offence, this court is not inclined to grant bail to accused Imanul Haque. In the result, bail petition stands rejected.

Send back the case diary in seal cover.

Accordingly, bail petition disposed off.

Sessions Judge,
Sonitpur, Tezpur.