

23.11.2020:

The bail petition no. 752/2020 filed u/s 439 CrPC on behalf of the accused Sri Pankaj Giri in connection with Biswanath Chariali PS Case No. 287/2020 u/s 294/336/333/34 IPC is taken up. 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 is innocent and he has been under detention since 14.10.2020.

The informant is a UB constable attached with the Biswanath Chariali PS. In his 'ejahar' dated 13.10.2020, he states that on the same day at about 7 pm, when he was on patrolling duty along with two staff members, he found four miscreants taking alcoholic substances in a maruti van in front of Bishnu Mandir, Bamgaon. When he tried to inform about the matter to his higher officers over phone, the miscreants pelted stones at them causing injuries to them and thereby restrained them to exercise their official duties. They have identified one of the miscreants to be the accused Pankaj Giri.

Considering the nature of allegations made in the 'ejahar', taking note of the length of detention of the accused and the materials so far collected, I find that further detention of the accused in custody is not warranted. The petition is therefore allowed.

The accused is allowed to be released on bail of Rs.10,000/- (Rupees Ten thousand) with one surety of the like amount to the satisfaction of the learned Elaka Magistrate on the condition that he shall cooperate in the investigation of the case.

Return the case diary. The Misc. Case is disposed of accordingly.

Inform all concerned.



ELAKA MAGISTRATE
BAMGAON