

Present:- Sri N. J. Haque, CJM, Sonitpur, Tezpur

Dhekiajuli PS Case No-487 of 2021

GR Case No-2847 of 2021

U/S-376/511 of IPC

ORDER

23.08.2021

C.R put up today along with bail petition bearing No-525/2021 filed by the petitioner named Md. Islam Ali praying bail of accused person Ezazul Haque.

Heard both the sides and perused the petition with the case record.

On perusal of the case record it unveiled before this court that criminal law sets in motion closely lodging an ejahar by informant named Sri Kameshwar Majhi alleging that on 20.08.2021 at about 5 PM, while his niece named Miss "X" aged about 19 years was proceeding from ATM situated at their Tea Garden towards her house, the above-named accused person forcefully tried to commit rape upon her/ It is also alleged that when she raised hue and cry, the local people of that area save the victim girl.

Subsequently, Dhekiajuli PS Case No-487 of 2021 was registered under section-376/511 of Indian Penal Code and thereafter, the above-named accused person apprehended and produced before the court on 21.08.2021 and since then he has been languishing in judicial custody.

At this stage without entering into the merits of entire dispute in hand this court finds that the investigation is pending at premature stage.

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The alleged offence is non-bailable and cognizable in nature. The nature of alleged offence deserves meticulous investigation.

More also, the I.O also deserves a fair chance to open the entire jacket from the alleged incident holding a proper and comprehensive investigation.

Therefore, bearing in mind all the aspect this court not finds anything sensible upon which the bail prayer of accused person, named, Ezazul Haque may be considered at this stage. More also, release of the accused person from judicial custody may hamper and temper the investigation of this case.

Hence, in the result bail prayer of the accused named, Ezazul Haque stands rejected due to devoid of any merits.

Inform all the concerned.

Sri N. J. Haque
Chief Judicial Magistrate
Sonitpur, Tezpur