

Misc. (Bail) Case No. 88 of 2021.

07.08.2021.

Seen Bail Petition No.391/21 filed by petitioner Harkanta Das u/s. 439 Cr.P.C in connection with Gohpur P.S. Case No.149/2021 (Corresponding G.R. Case No.173/2021) u/s. 147/148/342/325/307/354(B) IPC praying for bail of accused Sri Dhanti Das and Sri Bitu Das on the grounds that the accused persons are totally innocent and they have been falsely implicated in the case to due to enmity and police has illegally arrested them without any cogent evidence and proper ground although they are not FIR named accused persons. In fact victim Smti Ronemai Das is the wife of accused Keshab Das, one Prafulla Misong by inducing took her away from her husband three months ago. But the victim somehow came from the custody of said Prafulla Misong and took shelter in her elder sister's home. On 11.06.2021 her husband Keshab Das called her to his home to continue their conjugal life and while she came to his home, her in-laws assaulted her and the present accused hearing hue and cry rushed to the place of occurrence being neighbour but they are not at all involved with the alleged offences.

Heard the learned counsel for both sides.

Learned counsel representing the accused reiterating the grounds of bail petition submitted that the accused persons are not at all involved with the alleged occurrence of the case but they being neighbours of the victim hearing hue and cry went to the P.O and took photograph of the incident like other peoples. As such police has arrested them without any valid and reasonable ground and since 15.06.2021 they are in jail hazot. Accused persona re residents of their respective locality and there is no chance of absconding if they are released on bail nor they would hamper or tamper with the investigation and evidence of the case. Hence, prayed for releasing them on bail.

Learned Addl. P.P raised objection against the prayer of bail of the accused Sri Dhanti Das and Sri Bitu Das on the grounds of their involvement in commission of the alleged offence.

Received the case diary.

Having gone through the case diary it appears that there are clear, specific and distinct incrimination of the accused Sri Dhanti Das and Sri Bitu Das with the alleged offences of the case in hand.

Considering the gravity of offence, stage of investigation and clear involvement of the accused Sri Dhanti Das and Sri Bitu Das in the commission of the alleged offences, I am not inclined to release the accused Sri Dhanti Das and Sri Bitu Das on bail at this stage. Hence, their prayer of bail stands rejected at this stage.

Return the C.D.

Inform I/O accordingly.

With the above order this bail petition stands disposed of.