

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

Tezpur PS Case No-1600 of 2021

GR Case No-2570 of 2021

U/S-379 of IPC

ORDER

18.08.2021

Case record put up today before me along with a prayer filed by ASI Mahendra Deka of Mahabhoirab Police Outpost under Tezpur PS praying for showing the accused person, named, Md. Mirajul Islam in connection with this instant case registered under section-379 of IPC.

Heard the prosecution side and perused the prayer of I/O.

It disclosed from the prayer as well as the case record that instant case has been registered against the accused person, named, Md. Mirajul Islam in connection with an ejahar lodged by complainant Sri Jayanta Mukherjee. It also disclosed from the entire case record that the investigation of this case is pending at a pre-matured stage and the accused person, named, Md. Mirajul Islam has already been apprehended in connection with Tezpur PS Case No-1646 of 2021, u/s-379 of IPC on 11.08.2021 and produced him before this court on 12.08.2021 and thereafter, he was allowed to go on police custody for a period of 06 (Six) days and consequent to that today i.e. on 18.08.2021 the above-named accused person was produced before this court after completion of his 06 days police remand.

Now, the I/O of this instant case prayed to show the accused person, named, Md. Mirajul Islam to be an arrested accused in this case contending that sufficient evidence found against him during the time of investigation. On careful perusal of the case diary, it disclosed that Mirajaul Islam has been found at C.C. T.V footage while stealing the motor cycle.

18.08.2021

I have meticulously considered the prayer filed by the I.O, it finds that accused may have committed the alleged offence.

The offence of section-379 of IPC appears to be cognizable and non-bailable in nature and considering the implicating materials found against the accused, this court finds that sufficient reason to allow the prayer of the I/O for showing the accused person, named, Md. Mirajul Islam to be an arrested accused in connection with this case.

Accordingly, prayer of the I/O is allowed and the accused person, named, Md. Mirajul Islam is shown to be an arrested accused in connection with this case and consequent to that the I/O is directed to produce the accused person in connection with this case immediately showing him to be an arrested accused in this case.

Also seen the prayer of the I/O for perusal of seizure list along with seized article i.e. one Super Splender motor cycle bearing Regd. No-AS-12/M-1640 (Black Colour), Engine No-JA05ECE9F08459 & Chassis No-MBLJA05EME9F08276 marked as MR No-319/2021. The prayer of the I/O considered and allowed and seizure list is seen along with seized Super Splender motor cycle.

Let furnish photostat copy of seizure list and the seized motor cycle to the I.O, keeping the original seizure list with the case record.

Inform all the concerned.

Chief Judicial Magistrate  
Sonitpur, Tezpur