

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

Tezpur PS Case No-1740 of 2021
GR Case No-2812 of 2021
U/S-120(B)/302 of Indian Penal Code

ORDER

24.08.2021

Case record put up today along with a prayer filed by SI (P) Birsing Bordoloi of Tezpur Police Station praying for further examination of the accused persons, namely, Tanuja Begum and Md. Junu, who are in judicial custody in connection with this instant case to reveal some hidden facts regarding the case.

Heard the prosecution side and perused the prayer of I/O along with the case diary of this case.

It disclosed from the prayer as well as the case diary that instant case has been registered against the accused persons, namely, Tanuja Begum and Md. Junu in connection with an ejahar lodged by the complainant named Sri Jagrit Mahanta. It also disclosed from the entire case record that the investigation of this case is pending at a pre-matured stage and both the accused persons namely, Tanuja Begum and Md. Junu have already been apprehended in connection with the instant case on 20.08.2021 & 21.08.2021 and thereafter, accused Tanuja Begum was allowed to go on police custody for a period of 03 days and accused Md. Junu was allowed to go on police custody for a period of 02 days and consequent to that on 23.08.2021 both the above-named accused persons produced before this court and since from then they have been languishing in judicial custody.

Now, the I/O of this instant case prayed to interrogate the aforesaid accused persons contending that to reveal some hidden facts inside the precinct of the Central Jail, Sonitpur at Tezpur for the interest of investigation of this case.

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I have meticulously considered the case diary, it finds that accused may have committed the alleged offence.

The offence of section-120(B)/302 of Indian Penal Code appears to be cognizable and non-bailable in nature and considering the implicating materials available from the case diary, this court finds that prayer of the I/O appears to be reasonable and relevant for the purpose of holding proper investigation of the entire dispute. Hence, prayer of the I/O is allowed and consequent to that the I/O sets at liberty to interrogate and record the statements of both the accused persons inside the precinct of the Central Jail, Sonitpur at Tezpur, maintaining all the norms of social distancing notified by Govt. of India.

The Superintendent/Jailor of Central Jail, Sonitpur at Tezpur is hereby directed to make all the necessary arrangement and facilitate the investigating officer for interrogation and recording the statement of the accused persons inside the precinct of the Jail for a period of two days i.e. **on 26.08.2021 to 27.08.2021 from 10 AM to 4 PM.**

Let a copy of this order be sent to The Superintendent/Jailor of Central Jail, Sonitpur at Tezpur and the Investigating Officer.

Inform all the concerned.

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