

Misc.(Bail) Case No. 413 /2021**16-11-2021**

Seen petition No. 1231/21 filed by one Musstt Halima Khatoon, seeking bail for accused Nur Uddin Islam @ Ali, in connection with Dhekiajuli PS Case No. 612/19 u/s 366 A IPC.

I have heard the learned lawyer appearing for both sides.

Even though the case was fixed for case diary but no case diary has been received. Therefore, learned PP insists that bail application may be disposed off after perusal of the case diary.

On the other hand, learned counsel appearing for the accused contended that the incident was of 2019 and the Investigating Officer on completion of investigation already submitted Charge sheet vide CS No. 297/19. Moreover, it is further submitted that the alleged victim has been residing together with accused as husband and wife and has procured a child as a result of their union. Therefore, considering the attending fact and length of detention, accused may be enlarged on bail as accused is ready and willing to face trial.

Having heard the learned lawyers appearing for both sides and on consideration of the facts of the case and the period of detention of accused in judicial custody, accused Nur Uddin Islam @ Ali is enlarged on bail of Rs. 10,000/- (Rupees ten thousand) only with one surety of like amount in default to jail to the satisfaction of learned Eleka Magistrate.

The bail application is accordingly disposed off.

(C.B. Gogoi)
Sessions Judge,
Sonitpur, Tezpur.

