

Tezpur PS Case No-778 of 2022
GR Case No-1510 of 2022
Under Section-420/406/34 of Indian Penal Code

O R D E R

01.09.2022

Ld. Advocates of the petitioner has filed hazira.

Case diary as called earlier vide Order dated-22.08.2022 is received today from the I/O concerned.

Heard learned counsel of both sides on the instant petition. Also perused the instant petition.

The learned advocates of the petitioners have submitted that the accused person, namely, Sadek Ali is innocent and he is no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that the accused is falsely implicated in this case and he was arrested only on the basis of suspicion as nothing has been seized from his possession. The Ld. Counsel of the accused also submitted that in the event of his release on bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of the accused person Sadek Ali.

Also perused the case diary. The prosecution story in brief is as follows that complainant SI(P) Priyanka Buragohain lodged an ejahar before the O/C of Tezpur PS through In-charge of Borghat Police Outpost alleging that on 09.07.2022 at around 4 PM an information was received that some person is coming to Gutlong Bazaar to sell gold which are in totally fake gold. Accordingly after endorsement, he along with police party put a naka checking at the Gutlong NH-37(A) near Bazar and after that able to apprehend a persons, namely, Tamiruddin Hussain and Bittu Sheikh and on being searched two biscuit size, golden colour fake gold. On being asked they stated that they were supplied the said fake gold biscuit by Rusmat Ali, Sirajul Hoque, Riajul Hoque who manufactured these fake gold and thereafter, cheated the innocent people. Hence, the prosecution case.

From perusal of the case record, it appears that investigation of this case is going on and yet to complete. From perusal of the case

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diary, sufficient incriminating materials have been found against the accused person as the fake gold biscuit had been recovered from the possession of accused person. On perusal of the case diary, it also appears that the accused caught red handed with fake gold biscuit. Hence, at this stage, if the accused is released on bail, the whole process of investigation of this case will be hampered. So, under such circumstances and considering the gravity and seriousness of offence alleged against accused person and the stage of investigation, I find that this is not a case where the accused person can be relied upon and enlarged on bail.

Accordingly, the bail petition No-1094/2022 filed on behalf of the accused person, namely, Sadek Ali stands rejected.

Return back the case diary to the Investigating Officer in seal cover.

Accordingly, bail application is disposed of.

Inform all the concerned.

Sri N. Bhatta
Chief Judicial Magistrate
Sonitpur at Tezpur