

Tezpur PS Case No-424 of 2022
GR Case No-764 of 2022
U/S-420/406 of IPC

O R D E R

15.11.2022

Ld. Advocate of the petitioner has filed hazira.

Case diary as called earlier vide Order dated-04.11.2022 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 advocate of the petitioner has submitted that the accused person, namely, Sri Bibek Chakraborty is innocent and he is no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that the allegations leveled against the accused only for harassing him without any valid reason. The Ld. Counsel of the accused further submitted that it is a case of civil nature and if the civil remedies are available in their hands the party can approach to the Civil Court for their money and hence, in the event of his release on bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of the above-named accused person.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, Sri Kalyan Borah stating that the above-named accused person cheated with him and took Rs.4,20,000/- only from him and his wife for recovering the loan amount, but he did not deposit the money in the bank and fled away from SBFC Finance Pvt. Ltd. Hence, the prosecution case.

On perusal of the case diary, it appears that investigation of this case is still going on and yet to complete. It also appears that sufficient incriminating materials have been found against the above-named accused person. It also appears from the case record as well as the case diary that the above-named accused is a FIR named accused persons. Hence, at this stage, if the above-named accused person is released on bail, the whole process of the investigation of this case will be hampered. So, under such circumstances, 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

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person can be relied upon and enlarged on bail. Accordingly, the bail petition filed on behalf of the above-named accused person 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