

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

Tezpur PS Case No-2491 of 2021

GR Case No-4017 of 2021

U/S-420/406/34 of IPC

ORDER

18.01.2022

Case record put up today before me.

Accused person, named, Sri Binoy Borah aged about 55 years arrested and produced before this court in connection with this instant case registered under section-406/420/34 of IPC.

Seen the Forwarding Report, Memo of Arrest, Inspection Memo, Notice u/s-50 of CrPC, Medical Report and Check List. The I/O of this case stated that the case diary of the instant case has been called by Hon'ble Public Prosecutor Gauhati High Court, Guwahati and till date he has not received the same.

On perusal of the entire case record, it disclosed that the accused person is produced today after arrest and thereafter, he was duly undergone COVID-19 test at Kanaklata Civil Hospital, Tezpur where he tested negative.

Accused person is not represented by his Ld. Counsel and on being asked he has informed that his family member is going to engage advocate for his defence and accordingly, he declined to receive any assistance from this court. Perused the case record along with forwarding report.

It is seen that the I/O has duly complied the direction of ***Hon'ble Apex Court given in State of Bihar v/s Arnesh Kumar*** and issued notice u/s-41(A) of CrPC to the accused and it disclosed that both the above-named accused is a FIR named accused person. Hence, on being satisfied with all the aspect, this court finds that judicial custody of accused at the instance of 14 days required for the sake of investigation of the I/O.

18.01.2022

Therefore, considering all aspect this court finds that the alleged offence is cognizable and non-bailable in nature and therefore, judicial custody of accused persons is necessary for the sake of proper investigation. **Accordingly, accused is remanded to judicial custody till 01.02.2022.**

The Superintendent of Central Jail, Sonitpur, Tezpur is hereby directed to keep the accused person separately in an isolation ward from the other jail inmates for a considerable period and further the accused person is directed to be scanned through thermal scanner before admitting him inside the jail.

The Superintendent of Central Jail, Sonitpur, Tezpur is directed to comply with the aforesaid guideline for prevention of COVID-19 pandemic inside the jail premises. Inform all the concerned.

Sri N.J. Haque.  
CJM, Sonitpur, Tezpur