

Tezpur PS Case No-848 of 2022

GR Case No-1628 of 2022

U/S-457/380 of IPC

ORDER

19.09.2022

Case record received on transfer for disposal. Perused the case record and case diary.

The I.O has submitted charge sheet u/s-457/380 of IPC against the accused person, namely, Sri Debanjan Basumatary, who is in judicial custody. On perusal of the case record and after going through the case diary, I have found sufficient materials for proceeding against the above-named accused person u/s-457/380 of IPC. Accordingly, cognizance is taken against the accused person Sri Debanjan Basumatary u/s-457/380 of IPC.

Ld. Advocate of the accused person, namely, Sri Debanjan Basumatary has filed hazira.

Today the date is fixed for case diary.

Heard learned counsels of both sides on the instant petition.

Also perused the instant petition submitted today by the Ld. Counsel vide Petition No-2767 of 2022 wherein the learned advocate of the petitioner has submitted that the above-named accused person is innocent and no way connected with the alleged offence. The Ld. Counsels of the accused further submitted that the I/O of this case has already submitted charge sheet and 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.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, Sri Runu Devi stating that on 29.07.2022 at about 0130 hrs accused Sri Debanjan Basumatary entered into the house of the complainant by breaking the window and stolen Rs.2170/- from the BAG of the informant which was kept under the bed. Hence, the prosecution case.

On perusal of the case record, it appears that the accused person was arrested in this case on 30.07.2022 and since then he has been detained in the jail hajot till today.

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Perusal of the case record further shows that the investigation of this case has already been completed and the investigating officer of this case has submitted charge sheet vide charge-sheet vide charge sheet No-663/2022 Dated-31.07.2022.

As the investigation of this case is completed and further charge-sheet has been submitted against the accused person by the I.O., I find that further custodial detention of accused person, namely, Sri Debanjan Basumatary is not required. Accordingly, the bail petition No-1196/2022 is hereby allowed.

Hence, the accused person, namely, Sri Debanjan Basumatary is allowed to go on bail of Rs.10,000/- (Rupees Ten Thousand) only with one surety of like amount i/d to jail hajot on condition that:- (i) He shall not leave the local jurisdiction of the Court during the trial without prior permission of the concerned court; and (ii) He shall make himself available before the Court as per date of appearance fixed by the Court.

Accordingly, bail application stands disposed of.

Inform all the concerned.

Fixing 21.09.2022 for production/appearance.

Sri N. Bhatta
Chief Judicial Magistrate
Sonitpur at Tezpur