

Tezpur PS Case No-1199 of 2022
GR Case No-2236 of 2022
U/S-366/34 of Indian Penal Code

ORDER

01.12.2022

Case record put up today along with bail application no-1619/2022 filed by petitioner namely, Sri Sujan Chandra Singha praying bail of accused person, namely, Sri Dhananjay Singha.

Heard learned counsels of both sides on the instant petition. Also perused the instant petition. 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. Counsel of the accused further submitted that in the event of his release of bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of accused person.

The prosecution story in brief is as follows that complainant Sri Nakul Ch. Singha has lodged an ejahar before the O/C of Tezpur PS through I/C of Borghat Police Outpost to the effect that on 12.10.2022 at about 12:30 PM, his sister namely, Miss "X" (name withheld) aged about 21 years was missing from his house and on being searched he came to know that the above-named accused person had kidnapped his sister. It is also alleged that the above-named accused person committed the offence only because taking the revenge from him. Hence, the prosecution case.

The case is under initial stage and the alleged offence is non-bailable and cognizable in nature. The alleged offence of section-366 of IPC is exclusively triable by Hon'ble Court of Sessions. At this stage, if the accused person is released on bail, the whole process of investigation of this case will be hampered. So, under such circumstances, considering the gravity and seriousness of offence alleged against accused

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person and the initial 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-1619/2022 filed on behalf of the above-named accused person stands rejected.

Inform all the concerned.

Sri Nabajit Bhatta
Chief Judicial Magistrate
Sonitpur, Tezpur