

Tezpur PS Case No-950 of 2022  
GR Case No-1850 of 2022  
U/S-302 of Indian Penal Code

ORDER

02.11.2022

C.R put up today along with bail application no-1479/2022 filed by Ld. Legal Aid Counsel, Shreelal Gupta praying bail of the accused person, namely, Krishna Manki, who is in judicial custody.

Heard learned counsels of both sides on the instant petition. Also perused the instant petition. The learned Legal Aid Counsel of accused person submitted that the above-named accused person is innocent and no way connected with the alleged offence as the accused has no knowledge about the commission of the offence. The learned Legal Aid Counsel of accused person submitted that the accused person is a very poor person and he is the only earner of his family and hence in the event of his release of bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of the accused person.

The prosecution story in brief is as follows that on 03.09.2022 the complainant Sri Mintu Nath lodged the ejahar before the O/C of Tezpur PS through In-charge of Bebejia Police Outpost to the effect that on 02.09.2022 at about 07:30 PM, the above-named accused person without any reason killed one Sri Bahadur Chetry by way of stabbing the victim with a dao. Hence, the prosecution case.

The case is under very initial stage and the alleged offence is non-bailable and cognizable in nature. The alleged offence of section-302 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.

02.11.2022

So, under such circumstances, considering the gravity and seriousness of offence alleged against accused 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-1479/2022 filed on behalf of the above-named accused person stands rejected.

Inform all the concerned.

Sri Nabajit Bhatta  
Chief Judicial Magistrate  
Sonitpur, Tezpur