

Tezpur PS Case No-971 of 2022  
GR Case No-1871 of 2022  
U/S-379 of Indian Penal Code

ORDER

20.09.2022

Ld. Advocate of the accused person, namely, Md. Amir Hussain has filed hazira.

Today the date is fixed for case diary.

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. 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.

The prosecution story in brief is as follows that complainant Md. Jamiruddin Ahmed has lodged the ejahar before the O/C of Tezpur PS through In-charge of Mahabhairab Police Outpost to the effect that on 07.09.2022 at about 3 AM, some unknown culprits has stolen away his E-Rickshaw bearing Regd. No-AS-12/ER-1787 which was parked at his courtyard. Hence, the case.

On perusal of the case record, it appears that the accused person was arrested in this case on 09.09.2022 and since then he has been detained in the jail hajat till today. On perusal of the case record, it also appears that the I/O has recorded all the material witnesses and also seized the stolen E-Rickshaw and the same has already been given in zimma to the complainant. Perusal of the report submitted by I/O 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-770/2022 Dated-18.09.2022.

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 the accused person, namely, Md. Amir Hussain is not required.

20.09.2022

Accordingly, the bail petition No-1211/2022 is hereby allowed.

Hence, the accused person, namely, Md. Amir Hussain 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.

Sri N. Bhatta  
Chief Judicial Magistrate  
Sonitpur at Tezpur