

**ORDER-SHEET FOR MAGISTRATE'S RECORDS**  
**DISTRICT : SONITPUR.**  
**IN THE COURT OF SESSIONS JUDGE, SONITPUR AT TEZPUR**  
**Criminal (Bail) No. 238/2022**

**Toni Lego**

**Vs.**

**State of Assam**

<b>Sl. No. of Orders</b>	<b>Date</b>	<b>Order</b>	<b>Signature</b>
	<b><u>02-06-22</u></b>	<p>This is an application u/s 439 Cr.P.C. filed by Toni Lego seeking bail for accused Rombuk Lego who has been in judicial custody since 11-04-2022 in connection with Tezpur PS Case No. 487/2022 u/s 395 IPC r/w Section 25(1-A) Arms Act, corresponding to G.R. Case No. 875/2022.</p> <p>The contents of the FIR reveals that on 08-04-2022 one Adarsh Tibrewel lodged an FIR in Tezpur PS alleging inter alia that on the same day at around 4 AM he got a phone call from the Manager Rajib Roy Choudhury that some dacoits entered into their stockyard armed with firearms, sharp weapons, dagger, knives etc in their hands overpowered two security guards tied them by closing their eyes, broke the doors, took out keys of the vehicles and then took away vehicles. Having got the information when he went to the stockyard at 6 AM he found 7 vehicles stolen and one of the stolen vehicle was found lying unattended at Bhumraguri Bridge under Naltoli Police Out Post.</p> <p>I have heard the learned lawyers appearing for both sides and also gone through the contents of the case diary.</p> <p>Counsel for State submits that it is a serious crime of having committed theft of not less than 7 vehicles at a time from the stockyard of the dealer of Mahindra &amp; Mahindra Automotive Ltd. under the name and style of Mahabhairab Auto LLP situated at Gotonga Kahdol, P.O. &amp; P.S. Tezpur at gun point at the dead of night and two vehicles have been found sold one at Arunachal and one at Nagaland and the present accused purchased one of such stolen vehicle at Nagaland. Therefore, accused do not</p>	

deserve to be released on bail.

On the other hand, learned counsel Sri A. K. Mahanta appearing for the accused contends that accused has been in jail since 11-04-2022 and he is not involved in the alleged theft but police arrested him on the ground that the stolen vehicle has been found in his garage but he was no way involved in the alleged offence. Police has arrested him on the wrong assumption of keeping stolen vehicle in his garage. Therefore, it is submitted that accused may be enlarged on bail.

Having heard the contention of the learned lawyers appearing for both sides and on careful perusal of contents of the case diary, it transpires that there is categorical evidence emerged against the accused person showing his complicity with the alleged offence as the stolen vehicle has been found in his garage which clearly suggest that he has nexus with the thefts and he knowingly kept the stolen vehicle in his garage.

Given the nature and gravity of the offence and the way it had been committed this court do not find much force in the contention of the learned counsel Sri A.K. Mahanta that accused simply allowed the vehicle to be parked in his landed property at Pasighat at the earnest request of accused. As it appears, this is the story of accused which has no credence in view of the evidence collected by I.O. during investigation.

Considering, therefore, the entire attending factors, particularly, taking note of the fact that the investigation of the case is still going on and majority of the stolen vehicle are yet to be recovered this court do not consider it a fit case to grant bail to accused because a gang of mastermind and its hands man with interstate connectivity appears to have been involved in the crime. In the result, bail petition stands rejected.

Let the case diary be returned in seal cover.

Accordingly, the case is disposed off.

Sessions Judge,  
Sonitpur, Tezpur.