

Misc.(Crl) Case No. 442/2021

ORDER

04-01-2022

Seen petition No. 1391/21 filed by Noor Jamal Ali seeking bail for accused Niz Rahul Islam who was arrested in connection with Missamari PS Case No. 94/2021 u/s 302 of IPC.

I have heard the learned lawyers appearing for the State as well as for the accused and also gone through the contents of the case diary received today.

Learned counsel Sri Munin Ch. Baruah appearing for the State submits that accused committed murder of his wife by setting fire in his own residence who have the history of torturing his wife on previous occasions. Therefore, this is not a fit case to grant bail.

However, learned lawyer appearing for the accused assiduously contended that the victim herself set fire after quarrel with her husband and at the time of incident she was alone in the house. Hence, the learned counsel for accused prays for bail.

Having heard the learned lawyers appearing for both sides and on careful perusal of contents of the case diary, it appears that accused frequently tortured his wife on slightest pretext and on the date of incident also accused quarrel with his wife and in the process he set fire on his wife as a result of which his wife died after a weeklong treatment at TMCH. This is a gory incident of torture and murder of wife by husband. Accused has been in jail since 30-10-2021.

Given the heinous nature of the offence, this court is not inclined to grant bail to accused Niz Rahul Islam.

In the result, bail petition stands rejected.

Let the case diary be returned in seal cover.

Accordingly, bail application stands disposed off.

Sessions Judge
Sonitpur, Tezpur.