

ORDER-SHEET FOR MAGISTRATE'S RECORDS
DISTRICT : SONITPUR.
IN THE COURT OF SESSIONS JUDGE, SONITPUR AT TEZPUR
Criminal (Bail) No. 500/2021
Vs. State of Assam

Sl. No. of Orders	Date	Order	Signature
	<u>11-01-22</u>	<p>This is an application u/s 439 Cr.P.C. filed by Md Abdul Rasid seeking bail for Monowara Khatun in connection with Chariduar P.S. Case No. 169/2021 u/s 120(B)/420/468/392/34 IPC.</p> <p>I have heard the learned lawyers appearing for both sides and also gone through the contents of the case diary.</p> <p>The allegation in the FIR is that accused persons named in the FIR contacted him through several mobile calls pursued the informant to sell a piece of gold (laddu) in lesser price found in Arunachal Pradesh while digging earth and shown the piece of gold in whatsapp. Having been convinced the informant deposited Rs. 10,000/- in the account of accused Monowara Khatoon and thereafter, Imran Hussain brother of Monowara Khatoon took the informant in a tempo to the house of Imran Hussain and shown two piece of gold biscuits and in the meantime, took Rs. 2,70,000/- from the bag and later on handed over two gold biscuits to them and sent them back. On their way, police found them and took to the police station and on checking found the gold to be fake. Hence, the case.</p> <p>Learned counsel for the State Sri. Munin Ch. Baruah opposed the bail prayer contending inter alia that there are sufficient materials emerged in the case diary against accused. So, accused do not deserve bail.</p> <p>On the other hand, learned counsel appearing for the accused submitted that the present accused is the victim of the circumstances. The real culprit accused Abdul Rahim is already</p>	

released on bail. It is also contended that accused has been in jail since 02-12-2021.

Having heard the contention of learned lawyers appearing for both sides and on careful perusal of contents of the case diary, it appears that the prima facie involvement of accused is found in the case diary who is one of the offenders and advance has been deposited in her account and it is a clear case of cheating.

Therefore, considering the nature and gravity of the case, this court is not inclined to grant the bail to accused Monowara Khaton.

In the result, bail petition stands rejected.

Send back the case diary in seal cover.

Accordingly, Misc(Crl.) case disposed of.

Sessions Judge,
Sonitpur, Tezpur.