

Tezpur PS Case No-836 of 2022

GR Case No-1616 of 2022

Under Section-380 of IPC

O R D E R

21.09.2022

Ld. Advocate of the petitioner has filed hazira.

Case diary as called earlier vide Order dated-14.09.2022 is received today from the I/O concerned.

Heard learned counsel of both sides on the instant petition. Also perused the instant petition.

The learned advocate of the petitioner has submitted that the accused person, namely, Sujan Ali @ Dalim is innocent and no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that the accused is falsely implicated in this case. The Ld. Counsel of the accused also submitted that 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, namely, Sujan Ali @ Dalim.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, Sri Ajit Das stating that some unknown culprits had stolen away his 08 nos. of mobile from his house in absence of him. Hence, the prosecution case.

On perusal of the case diary, it appears that investigation of this case is pending at last stage and the above-named accused person has been detained in the jail hajot since from 07.08.2022 till today. Further, on perusal of the case diary, it appears that the I.O of this case has failed to make any further investigation of this case since from 07.08.2022. On perusal of the case diary, it also appears that the I/O has already completed a substantial portion of the investigation and considering the later stage of the investigation, further detention of the accused is not necessary.

Hence, at this stage, if the accused person, namely, Sujan Ali @ Dalim is released on bail, the process of the investigation of this case will not be hampered any more. Considering all the above discussion and the length of detention of the accused person in judicial custody, I deem it fit and proper to allow the bail petition on behalf of accused person. Accordingly, bail prayer vide petition No-1212/2022 is allowed.

21.09.2022

Accused person, namely, Sujan Ali @ Dalim is allowed to go on bail of Rs.10,000/- (Rupees Ten Thousand) only with one surety of like amount and failing of furnishing the surety the accused shall remain in judicial custody as fixed earlier. In the event of the release of accused from the judicial custody, the accused shall comply with the following conditions:-

- (i) The accused person shall make himself available before the investigating officer as and when required by him for the investigation of the case;
- (ii) The accused person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or the investigating officer;
- (iii) The accused person shall not hamper the investigation or temper with the evidence of the case.
- (iv) The accused person shall co-operate with the I/O till the I.O concludes his investigation.

Return back the case diary to the I/O in seal cover.

Accordingly, bail application is disposed of.

Inform all the concerned.

Sri N. Bhatta
Chief Judicial Magistrate
Sonitpur at Tezpur