

Present:- Sri N. J. Haque, CJM, Sonitpur, Tezpur

Tezpur PS Case No-2660 of 2021
GR Case No-4258 of 2021
U/S-392 of IPC

ORDER

21.01.2022

Ld. Advocates of the accused person, named, Inamul Hoque filed hazira.

Case diary as called earlier is received today.

Heard both the sides and perused the case diary meticulously.

By this order this Court proposed to dispose of the bail application filed for the accused person, named, Inamul Hoque, who is languishing in judicial custody since from 10.12.2021 in connection with the instant case registered u/s-392 of IPC.

On perusal of the entire case record, it disclosed that the instant prosecution case sets in motion against the above named accused person on filing an ejahar by the informant named Noor Mohamad Ali alleging inter-alia that on 28.11.2021 at about 9 AM at a place called Hatipilkhana, Tezpur, the above-named accused forcefully snatched away his mobile phone.

Accordingly, Tezpur PS Case No-2660 of 2021 was registered u/s-392 of Indian Penal Code and during investigation the I/O has apprehended the above-named accused and produced him before this court on 10.12.2021 and since then he has been languishing in judicial custody.

On scrupulous perusal of case diary, it disclosed that the I/O during investigation recorded the statement of almost all the material witnesses and recovered the mobile hadnset. It also disclosed from the materials avialbale in the case diary that this court finds anything substantive materials against the accused upon which it may be presumed that the accused may have committed the offence punishable under section-392 of IPC. It also disclosed from the materials available in the case diary that from the statements of some of the witnesses, it is

21.01.2022

seen that there is material of offence punishable under section-379 of IPC. More also, since from 10.12.2021 the I/O of this case has failed to make any investigation in connection with this case. It also disclosed that the investigation against the present accused named Md. Inamul Hoque is pending at the advance stage and at this stage release of the accused shall not hamper and temper of the investigation. The above-named accused person is already languishing in judicial custody since from around 43 days.

Therefore, considering the period of detention as well as the present stage of the investigation, this court finds sufficient reason to allow the bail prayer of the accused person, named, Md. Inamul Hoque as release of the said accused person shall not prejudice the investigation of the I/O.

In the result, considering all the aspect, the bail prayer of the accused person, named, Md. Inamul Hoque is allowed and consequent to that accused Md. Inamul Hoque is allowed to go on bail of **Rs. 20,000/- (Rupees Twenty Thousand only)** with one surety of like amount i/d jail hajot as fixed earlier. In the event of his release, he shall comply with the following conditions:-

- i) The accused person shall not hamper or temper the investigation of the I.O.
- ii) The accused person shall not leave the local jurisdiction of the Court without prior permission of the O/C Tezpur PS.
- iii) The accused person shall co-operate with the I/O till the I.O concludes his investigation.
- iv) The accused person shall not repeat the similar offence.

Return back the case diary to the I/O accordingly.

Inform all the concerned.

Sri N. J. Haque
Chief Judicial Magistrate
Sonitpur, Tezpur