

Tezpur PS Case No-1111 of 2022
GR Case No-2148 of 2022
U/S-379 of IPC

O R D E R

23.12.2022

Ld. Advocate of the petitioner has filed hazira.

Case diary as called earlier vide Order dated-15.12.2022 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 persons, namely, Rafikul Islam, Usman Goni and Surjamal Haque are innocent and no way connected with the alleged offence and are arrested only on suspicion. The Ld. Counsel of the accused further submitted that the accused persons are falsely implicated in this case and nothing has been seized from their possession. The Ld. Counsel also submitted that in the event of their release on bail there is no chance of their absconding. Hence, prayed to allow the bail prayer of the above-named accused persons.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, Sri Bhanu Deb Nath stating that 21.10.2022 when he parked his glamour bike in front of Pubali Medical near Mission Chariali market but at 12 Noon when he was returning to that place to go to home he cannot find his motor cycle. He searched the nearby area but cannot find his bike. It is also alleged that someone has stolen his motor cycle. Hence, the prosecution case.

On perusal of the case diary, it appears that investigation of this case is going on and yet to complete. It also appears that sufficient incriminating materials have been found against the above-named accused persons. It also appears that the stolen motor cycle yet to be recovered. Hence, at this stage, if the above-named accused persons are released on bail, the whole process of the investigation of this case will be hampered. So, under such circumstances, considering the gravity and seriousness of offence alleged against accused persons and the stage of investigation, I find that this is not a case where the accused persons can be relied upon and enlarged on bail.

23.12.2022

Accordingly, the bail petition No-1676/2022 filed on behalf of the above-named accused persons stands rejected.

Return back the case diary to the Investigating Officer in seal cover.

Accordingly, bail application is disposed of.

Inform all the concerned.

Sri N. Bhatta
Chief Judicial Magistrate
Sonitpur at Tezpur