

Tezpur PS Case No-1159 of 2022
GR Case No-2196 of 2022
U/S-420/406 of Indian Penal Code

O R D E R

30.11.2022

Ld. Advocates of the petitioner has filed hazira.

Case diary as called earlier vide Order dated-11.11.2022 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, Tamiruddin is innocent and he is no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that the accused person is falsely implicated in this case. The Ld. Counsel of the accused also submitted that nothin has been seized from his possession and in the event of the release the accused on bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of the accused person.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, SI(P) Rahul Borah of Kacharigaon Police Outpost alleging that on 08.11.2022 at around 12:30 AM as per secret information from reliable source about fake gold trading by the above-named accused and on being received of the information, he along I/C of Kacharigaon OP and other police party for initiating necessary action as per GDE No-127 dated-08.11.2022. Accordingly, he along with I/C of Kacharigaon OP and their staffs proceeded to Tin Mile and after arriving they conducted house search and able to caught the said person and recovered one suspected to be fake gold half boat weight-196 gm and three numbers of mobile phone from the possession of him. On questioning he revealed that he kept the suspected gold for sale. Hence, the prosecution case.

From perusal of the case record, it appears that investigation of this case is going on and yet to complete. From perusal of the case diary, sufficient incriminating materials have been found against the accused person.

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Hence, at this stage, if the accused person is released on bail, the whole process of investigation of this case will be hampered. So, under such circumstances and considering the gravity and seriousness of offence alleged against accused and the stage of investigation, I find that this is not a case where the accused person can be relied upon and enlarged on bail.

Accordingly, the bail petition No-1526/2022 filed on behalf of the accused person 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