

Tezpur PS Case No-888 of 2022  
GR Case No-1668 of 2022  
U/S-326 of Indian Penal Code

ORDER

05.09.2022

The Ld. Advocate of the petitioner has filed hazira.

Injury report of the victim as called earlier by this court is received today from the I/O concerned. However, case diary was already received on 30.08.2022.

Heard learned counsel of both sides on the instant petition.

The learned advocate of the petitioner has submitted that the accused person is innocent and 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 in the event of the release of the accused person 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 Sri babul Sheikh lodged an ejahar before the O/C of Tezpur PS through In-charge of Kacharigaon Police Outpost alleging that on 15.08.2022 at about 01:30 PM while his brother, named, Md. Idul Ali was going towards his workplace after taking foods for his labour, then the accused inflicted his brother with a sharp weapon on various parts of his body at Saikia Chuburi Muslim Gaon and due to that his brother sustained grievous injuries. 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. On perusal of the medical report of the victim, it appears that the injuries sustained by the victim as per medical documents grievous in nature and caused by sharp weapon. Hence, at this stage, if the accused 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

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offence alleged against accused person 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-1080/2022 filed on behalf of the accused person, namely, Riazuddin Ahmed @ Imul stands rejected. Return back the case diary along with Injury report of victim 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