

Tezpur PS Case No-1049 of 2022
GR Case No-1997 of 2022
U/S-457/380 of IPC

ORDER

06.12.2022

Ld. Advocate of the accused person, namely, Md. Habibur Rahman filed hazira.

Case diary as called earlier vide order dated-28.11.2022 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, Md. Habibur Rahman is innocent and he is no way connected with the alleged offence and is arrested only on suspicion. The Ld. Counsel of the accused further 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 above-named accused person.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, Sri Mrinal Das stating that on 03.10.2022 at about 07:00 PM while he went to outside to lock the door of his house and when he returned back to his house at that time he had seen that some unknown culprits had stolen away some gold ornaments like ear ring, finger ring and gold jumbiri by breaking the door lock, godrej and grill of his house. Hence, the prosecution case.

On perusal of the case diary, it appears that investigation of this case is still going on and yet to complete. It also appears that sufficient incriminating materials have been found against the above-named accused person. It also appears from the case record as well as case diary that the stolen articles yet to be recovered in this case. Hence, at this stage, if the above-named accused person is released on bail, the whole process of the investigation of this case will be hampered.

06.12.2022

So, under such circumstances, considering the gravity and seriousness of 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 filed on behalf of the above-named 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, Tezpur