

Tezpur PS Case No-759 of 2022
GR Case No-1299 of 2022
U/S-420/406 of IPC

ORDER

06.12.2022

Ld. Advocate of the accused persons, namely, Md. Jabbar Ali @ Abdul Jabbar and Rahul Akond has filed hazira.

Today is fixed for case diary for consideration of bail application No-1596/2022 filed on behalf of the above-named accused persons.

Also perused the instant petition. The learned advocate of the petitioner has submitted that the above-named accused persons are innocent and no way connected with the alleged offence. The Ld. Counsels of the accused further submitted that the I/O of this case has already submitted charge sheet and in the event of their release on bail there is no chance of their absconding. Hence, prayed to allow the bail prayer of the accused persons.

Also perused the case diary. The prosecution story in brief is as follows that complainant, namely, Sri Gopa Ram Patel stating that on 16.05.2022 he received a call from 8402811219 introducing him as Raju Das and he is a labour at a temple behind the Missamari Air Force station and said that he need money for his father's treatment in exchange he will give him gold. After few days later the said Raju Das gave him a piece of gold to test the same and after testing in a jewellery shop he found it pure gold. Accordingly, they finalized the deal at Rs.4,00,000/- in exchange of two pieces of biscuit size gold. It is also stated that on 19.05.2022, he gave the said person Raju Das of Rs.4,00,000/- and taken the two biscuit size gold after he tested again and found it fake gold. Hence, the prosecution case.

On perusal of the case record, it appears that the accused persons were arrested in this case on 08.11.2022 and since from then they have been detained in the jail hajot till today. On perusal of the report submitted today by the I/O SI P. Rajkhowa of Lalmati OP, it appears that the investigation of this case has already been completed and the investigating officer of this case has submitted charge sheet vide charge-sheet vide charge sheet No-957/2022 Dated-29.11.2022.

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As the investigation of this case is completed and further charge-sheet has been submitted against the accused persons by the I.O., I find that further custodial detention of the accused persons is not required. Accordingly, the bail petition is hereby allowed.

Hence, the accused persons, namely, Md. Jabbar Ali @ Abdul Jabbar and Rahul Akond are allowed to go on bail of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety of like amount i/d to jail hajot on condition that:- (i) They shall not leave the local jurisdiction of the Court during the trial without prior permission of the concerned court; and (ii) They shall make themselves available before the Court as per date of appearance fixed by the Court.

Accordingly, bail application stands disposed of.

Inform all the concerned.

Sri N. Bhatta
Chief Judicial Magistrate
Sonitpur at Tezpur