

Tezpur PS Case No-931 of 2022
GR Case No-1711 of 2022
U/S-392 of Indian Penal Code

O R D E R

07.09.2022

Ld. Advocates of the petitioner has filed hazira.

Case diary as called earlier vide Order dated-01.09.2022 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, Md. Dildar Hussain and Md. Nurjamal Haque are innocent and they are no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that the accused persons are falsely implicated in this case. The Ld. Counsel of the accused also submitted that in the event of the release the accused persons 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 alleging that he is a head constable of Indian River Police and he came to Tezpur mental hospital to attend one of relative who was admitted in that hospital. At that time he meet with a person who introduced him as Mona and they exchanged their phone numbers with each other and after that they talked with each other once in a while. It is also stated that on 25.08.2022 while he ws travelling from Dimapur to Guwahati he called her by 9612443398 mobile number and asked him what he is doing and where he is and then told him that he is going to Guwahati with Rs.15,00,000/- in cash to buy to cars then he told him that he has two vehicles one is vitara Breeza and one is Renault Duster and he want to sale those vehicles at a cheap price. After having that he thought that he can get those vehicles is a cheap price then he told him that he want to buy those vehicles. After having that he told him to come to Tezpur by bus and arrived

07.09.2022

at ASTC bus stand Tezpur. They came to Tezpur by two cars bearing Regd. No-AS-07/K-9639 and AS-07/D-9755 and took him to a place in Tezpur area and they snatched away his leather bag containing Rs.15 Lakhs. He scared because they were a group of 5-6 people and one of them was Mona and another Nurjamal Haque. Hence, the prosecution case.

From perusal of the case record, it appears that investigation of this case is pending at pre-matured stage and the accused persons are the FIR named accused persons. From perusal of the case diary, sufficient incriminating materials have been found against the accused persons. Hence, at this stage, if the accused persons are 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 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.

Accordingly, the bail petition No-1145/2022 filed on behalf of the 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