

Present:- Sri N. J. Haque, CJM, Sonitpur, Tezpur

Thelamara PS Case No-189 of 2021

PR Case No-55 of 2022

U/S-307/448/323/506 of IPC

ORDER

07.01.2022

C.R put up today along with bail petition bearing No-76/22 filed by the petitioner, named Sri Jogeswar Basumatary praying bail of accused person named Smt. Sameli Basumatary. The petitioner also stated in his petition that the accused is languishing in judicial custody since from 30.12.2021 and charge sheet of case has already been submitted by the I/O. Heard both the sides and perused the petition with the case record.

On perusal of the case record it unveiled before this court that criminal law sets in motion closely lodging an ejahar by the informant named Smt. Anjana Bai Rama Thakura alleging inert-alia that on 28.12.2021 the above-named accused attempted to kill her. It is also alleged that 29.12.2021 at about 6:30 AM, the above-named accused person forcefully entered into her house and physically assaulted her with lathi and due to that she sustained grievous injury. It is further alleged that the accused also stolen cash amount of Rs.10,000/- from her house and threatened her of dire consequences.

It disclosed from the case record that the I/O of this case has already submitted charge sheet against the accused person u/s-307/448/323/506 of Indian Penal Code vide charge sheet vide No-101 of 2021 dated-31.12.2021.

Page Cntd.....

07.01.2022

The fact of filing charge sheet makes it crystal clear that the investigation of this case has already been completed. However, the alleged offence upon which the charge u/s-307 of IPC submitted being not triable by this court and being pending at the stage of the production of accused, copy and committal. As such, the prayer of the petitioner not appears to be tenable in the eye of law. Hence, the same deserves to be rejected due to devoid of any merits.

Accordingly, the prayer submitted by the petitioner stands rejected.

Inform all the concerned.

Fixing 10.01.2022 for production and Copy.

Sri N. J. Haque
Chief Judicial Magistrate
Sonitpur, Tezpur