Tezpur PS Case No-949 of 2022
GR Case No-1849 of 2022
U/S-420/376 of Indian Penal Code

ORDER

08.09.2022

Case record put up today along with bail application no-1184/2022 filed by petitioner namely, Sri Suresh Sawashi praying bail of the accused person, namely, Sri Pritam Sowashi.

Heard learned counsels of both sides on the instant petition. Also perused the instant petition. The learned advocate of the petitioner has submitted that the above-named accused person is innocent and no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that in the event of his release of bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of the accused person.

The prosecution story in brief is as follows that complainant Miss "X" (name withheld) has lodged the ejahar to the effect that on 13.08.2022 while she was travelling to Bihaguri High School, the above-named accused met her at Bandarmari at around 08:00 AM and forcefully took her in his bike to Tezpur and he took her to a hotel in Tezpur and give false promise of marriage and had physical relationship with her. It is also stated that at 07:00 PM, he dropped her at her sister's house at Ghoramari Bamungola and fled away. Hence, the case.

The case is under very initial stage and the alleged offence is non-bailable and cognizable in nature. The alleged offence of section-376 of IPC is exclusively triable by Hon'ble Court of Sessions. At this stage, if the accused person is released on bail, the whole process of investigation of this case will be hampered. So, under such circumstances, considering the gravity and seriousness of offence alleged against accused person and the initial stage of investigation, I find that this is

08.09.2022

not a case where the accused person can be relied upon and enlarged on bail.

Accordingly, the bail petition No-1184/2022 filed on behalf of the above-named accused person stands rejected.

Inform all the concerned.

Sri Nabajit Bhatta
Chief Judicial Magistrate
Sonitpur, Tezpur