

Tezpur PS Case No-936 of 2022
GR Case No-1836 of 2022
U/S-457/380 of Indian Penal Code

O R D E R

09.09.2022

Ld. Advocate 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 person, namely, Sri Anil Kurmi is innocent and he is no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that the accused person is falsely implicated in this case. The Ld. Counsel of the accused also submitted that in the event of the release the accused person on bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of the accused person.

Also perused the case diary. The prosecution story in brief is as follows that complainant Smt. Sonali Das alleging inter-alia that on 26.08.2022 at about 12:00 AM midnight the accused person, Sri Anil Kurmi entered into her house premises and attempted to stole water motor pump and on seeing her, the accused fled away from there. But again later the said accused pelting stone on her house and out of fear she left her house. It is also stated that the above-named accused person had stolen rod and colour bucket from her house. 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 person, namely, Sri Anil Kurmi is the FIR named accused person. From perusal of the case diary, sufficient incriminating materials have been found against the accused person. Hence, at this stage, if the accused person is released on bail, the whole process of investigation of this case will be hampered.

09.09.2022

So, under such circumstances and 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 No-1146/2022 filed on behalf of the 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 at Tezpur