

Tezpur PS Case No-1152 of 2022
GR Case No-2189 of 2022
U/S-380/411 of Indian Penal Code

ORDER

09.12.2022

Ld. Advocate of the accused person, namely, Md. Tara Miya Hussain has filed hazira.

Today is fixed for case diary for consideration of bail application No-1616/2022 filed on behalf of the above-named accused person.

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. Counsels of the accused further submitted that the I/O of this case has already submitted charge sheet and in the event of his release 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, namely, Smt. Sabitri Rajbongshi stating that on 05.11.2022 at about 04:00 PM, accused Md. Tara Miya Hussain in absence of any family mebers went to her house and committed theft of utensils and thereafter, the said accused was caught red handed by her husband with the help of police personnel. Hence, the prosecution case.

On perusal of the case record, it appears that the accused person were arrested in this case on 06.11.2022 and since from then he has been detained in the jail hajot till today. On perusal of the report submitted today by the I/O, 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-956/2022 Dated-29.11.2022. As the investigation of this case is completed and further charge-sheet has been submitted against the accused person by the I.O., I find that further custodial detention of the accused person is not required.

Accordingly, the bail petition is hereby allowed.

09.12.2022

Hence, the accused person, namely, Md. Tara Miya Hussain is allowed to go on bail of Rs.15,000/- (Rupees Fifteen Thousand) with one surety of like amount i/d to jail hajot on condition that:- (i) He shall not leave the local jurisdiction of the Court during the trial without prior permission of the concerned court; and (ii) He shall make himself 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