

**ORDER-SHEET FOR MAGISTRATE'S RECORDS**  
**DISTRICT : SONITPUR.**  
**IN THE COURT OF SESSIONS JUDGE, SONITPUR AT TEZPUR**  
**Criminal (Bail) No. 602/2022**

**Sri Dilip Nath**

**Vs.**

**State of Assam**

<b>Sl. No. of Orders</b>	<b>Date</b>	<b>Order</b>	<b>Signature</b>
	<b><u>01-12-22</u></b>	<p>This is an application u/s 439 Cr.P.C. filed by Sri Dilip Nath seeking bail for accused Sri Suman Nath &amp; Daud Haque who are in jail in connection with Tezpur PS Case No. 1156/2022 u/s 380 IPC, corresponding to G.R. Case No. 2193/2022.</p> <p>I have heard the learned lawyers appearing for both sides and also gone through the case diary.</p> <p>The allegation in the FIR is that informant lodged an FIR on 07-11-2022 in Lalmati Police Out Post under Tezpur PS stating inter alia that on 06-11-2022 at around 10.30 AM to 12.30 PM his Triban Road Bike got stolen by someone from his house at Rupak Nagar. Hence, the case.</p> <p>It is submitted by learned counsel for State that there is sufficient, credible evidence to show that accused have involved in the commission of theft of bicycle and this kind of incident has disturbed the peace of the citizens in the locality and therefore, accused do not deserve to be released on bail which has adverse impact.</p> <p>On the other hand, learned counsel appearing for the accused persons contends that accused have been in judicial custody since 07-11-2022 and the alleged stolen bicycle has also been recovered. There is nothing to be investigated now. Hence, learned counsel for accused prays for bail.</p> <p>Having heard the contention of the learned lawyers appearing for both sides and on careful perusal of the contents of the case diary, it appears that accused have spent sufficient time in judicial custody and case diary reveals that the investigation of</p>	

		<p>the case is almost been completed and the alleged stolen bicycle has already been recovered. Under such circumstances, further detention of accused persons in judicial custody is not required.</p> <p>In the result, both the accused persons namely, Sri Suman Nath &amp; Daud Haque are enlarged on bail of ₹15,000/- (Rupees Fifteen Thousand) only <b>each</b> with one local surety of like amount <b>each</b> i/d jail to the satisfaction of learned Elaka Magistrate.</p> <p>Send back the case diary in seal cover.</p> <p>Accordingly, bail petition is disposed of.</p>	<p>Sessions Judge, Sonitpur, Tezpur.</p>
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