

**ORDER SHEET FOR MAGISTRATE'S RECORDS. Adv:
DISTRICTS : SONITPUR**

IN THE COURT OF SESSIONS JUDGE, SONITPUR AT TEZPUR

MISC. (CRIMINAL (Bail) Case No. 512 of 2022

Samed Ali , Petitioner VS. STATE OF ASSAM.

Sl. No.	Date	<u>order</u>	Signature
	<u>28-10-22</u>	<p>Seen the petition No. 2232/22 filed by one Samed Ali, seeking bail for accused Md. Ekramul Hussain, in connection with Tezpur PS Case No. 867/22 u/s 376 IPC, corresponding to GR case No. 1647/22.</p> <p>The allegation in the FIR is that on 04-08-2022 the mentally retarded Johura Khatun, the paternal aunt of the informant while proceeding to the house of Abdul Khaleq at Borghat alone by walking, accused Ekramul Hussain pulled her under the bamboo bushes near Borghat High School and forcefully committed rape on her. Though she tried to prevent, accused assaulted her caused injuries. While victim was weeping, the public moving on the road on being enquired, she pointed accusing finger to accused who was going by walking then. Hence the case.</p> <p>I have heard the learned lawyers appearing for both sides. I have also gone through the case diary.</p> <p>Learned counsel appearing for the State Mr. Munin Chandra Baruah vehemently objected the bail prayer of the accused contending inter-alia that it is a</p>	

heinous crime of committing rape on a mentally retarded woman by taking advantage of her loneliness and accused do not deserve to be released on bail

On the other hand, learned counsel appearing for accused contends that accused has been wrongly framed only on mere suspicion. Accused is innocent person hence, it is contended that accused may be enlarged on bail.

Having heard the contentions of the learned counsel appearing for both sides and on careful perusal of the case record, it transpires that on 22-09-2022 this court already rejected the bail prayer of accused after perusing the case diary. Since there is no new ground in bail application, therefore, considering the nature and gravity of the offence alleged, the prayer for bail of the accused stands rejected.

Accordingly, bail application stands disposed off.

Let case diary be returned along with a copy of this order.

(C.B. Gogoi)
Sessions Judge,
Sonitpur, Tezpur