

Misc. CrI. (Bail) case No. 581/2022

Md.Munsur Ali Vs State of Assam

23.11.2022

Petitioner filed hajira.

Today was fixed for C/D.

C/D received. Seen.

Brief fact of the case as stated in the FIR is that, on 13-10-2022, at about 3 p.m, while the victim Smti. Anima Das (dumb) was sweeping the floor, the accused Md. Fakir Ali entered her house and grabbed her. While the victim shouted, the neighbour Sri Moina Das came out from his house and saw the accused going out from the house of the victim.

Perused the C/D and the C.R. Heard Id. APP and Id. counsel for the petitioner.

On perusal of the C/D, it appears that the accused was arrested on 17-10-2022 and since then he is in custody. From the C/D, it is seen that the accused himself appeared in the P.S. in connection to this case. Except the victim, who is dumb, the statements of other material witnesses are recorded. From the C/D, it appears that after 28-10-2022 no investigation has been done by the I.O, whereas the accused is still in custody. Thus, it appears that custodial detention of the accused is not required for the purpose of investigation. The accused is a old person of 60 years of age. Also, the accused is a local person and hence there is no scope of absconding.

Contd..

23-11-2022

Considering the above facts, it appears that releasing the accused on bail will not hamper and temper the investigation and the evidences and that, further detention of the accused is not necessary for the purpose of investigation. Hence, the accused Md. Fakir Ali is allowed to go on bail of Rs.20,000/- with a local surety of like amount, i/d jail hajat, subject to the conditions that :

- a) The accused shall make himself available before the I/O as and when called for and shall cooperate with the investigation;
- b) The accused shall not hamper and temper with the investigation and the evidences;
- c) The accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- d) The accused will not abscond;

Send back the C/D.

Send a copy of this order to the Id Elaka Magistrate.

Misc. (Crl) case is disposed of accordingly.