

Misc.(Bail) Case No. 178 of 2021.

Present. Smt. T. Hussain

Addl. Sessions Judge, Biswanath Chariali

07-01-2022.

The Ld. Counsel for the bail petitioner is present and has filed petition no. 44/2022 stating to the effect that in the bail petition in the title page connected case number has been typed as Gingia police station case no. 131/2019 instead of Gingia police station case no. 131/2021 due to typing mistake. And therefore it is prayed to allow to rectify the error by inserting the correct case no. in the bail petition.

Heard and perused the case record.

From the certified copy of the concerned FIR, it becomes clear that the concerned case no. is Gingia police station case no. was 131/2021. Therefore, the prayer of the petitioner is allowed. Accordingly, the Bench Assistant is asked to insert the correct case no. in the title page of the bail petition.

It is found from the case record that as the case no. was wrongly given in the bail petition, the case diary of Gingia police station case no. 131/2019 was called for. The IO submitted report to the effect that Charge-Sheet was already submitted in Gingia Case No. 31/2019. Hence, the concerned GR case record was called for and the same is received today. But, as it is reflected above the correct case no. is Gingia police station case no. 31/2021. Hence, send back the called for case record.

It is submitted by the Ld. Counsel for the petitioner that vide order dated 03-12-2021 Bail petition filed for the said accused Deben Gowala was rejected after perusal of the case diary and that the instant bail petition is filed on medical ground only as the wife of the accused is at advance stage of pregnancy.

On perusal of the bail petition, it is seen that no such medical ground is cited there. As per the bail petition, the bail is sought for merely on the ground of detention.

From the certified copy of the order dated 03-12-2021, enclosed with the bail petition it is found that the bail petition was rejected after perusal of the case diary as it was found that the injury sustained by the injured was serious and condition to the injured was

critical. Therefore, I do not find it a fir case to allow the bail prayer made for the accused Deben Gowala merely on the ground of detention. Accordingly the bail petition stand rejected.