

Misc.(Bail) Case No. 184 of 2021.

05.01.2022.

This Bail Petition filed for the accused persons namely Satya Narayan Kutum, Bishnu Pachung, Hari Kanta Bori, Hemlal Pegu, Abhinash Pegu, Tileswar Pachung and Ubai Pachung, u/s- 439 Cr.P.C in connection with Gohpur P.S Case No. 407/21, u/s- 120(B)/143/147/148/149/359/342/353/354/384/203, IPC is taken up for further hearing as the called for case diary is received.

Heard the learned counsel appearing for the accused as well as learned Addl. P.P. and carefully perused the materials available in the case diary.

The Facts leading to filing of the instant bail petition u/s- 439 of Cr.P.C in brief are that on 19-11-2021, Sri Anil Sonowal , S.I Gohpur Police Station, lodged an ejarah to the effect in the preceding day at about 5 p.m, when he arrived at Mowguti village along with his staff in a Government vehicle bearing registration No. AS-30/8133, to recover the victim of a kidnapping case, a mob of two hundred people led by Aswini Patir, Rakesh Kutum, Sonaram Payeng surrounded them and started attacking them. As a result, the driver of the vehicle namely Pulkesh Baruah sustained injury and woman police namely Madhusmita Das was pulled by her clothes. The agitated mob also damaged the government vehicle to some extent.

Accordingly, Gohpur P.S Case No. 352/21, u/s- 120(B)/143/147/148/149/359/342/353/354/384/203, IPC was registered.

During investigation, on 08-12-2021, the accused persons namely Satya Narayan Kutum, Bishnu Pachung, Hari Kanta Bori, Hemlal Pegu, Abhinash Pegu, Tileswar Pachung and Ubai Pachung, were arrested and forwarded to the Court and since then they have been in judicial custody.

It is submitted on behalf of the accused persons that they are totally innocent.

Now, on perusal of the case diary it is found that the I/O has already examined the material witnesses and completed a substantial portion of investigation. It is also seen that after 11/12/2021, I/O has done nothing towards investigation of the case. From the materials so far collected by the I/O, it appears that further detention of the accused persons are not necessary for the purpose of the investigation.

Hence, considering the facts and circumstances of the case, the accused persons namely Satya Narayan Kutum, Bishnu Pachung, Hari Kanta Bori, Hemlal Pegu, Abhinash Pegu, Tileswar Pachung and Ubai Pachung are allowed to go on bail of Rs. 15,000/- each with a suitable surety of like amount to the satisfaction of the learned Elaka Magistrate.

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