

Misc.(Bail) Case No. 188 of 2021.

Present. Smt. T. Hussain

Addl. Sessions Judge, Biswanath Chariali

04.01.2022.

This Bail Petition filed for the accused persons namely Rajendra Suni and Dipak Suni, u/s- 439 Cr.P.C in connection with Gohpur police station Case No. 355/2021, u/s- 420/406/34 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 27-11-2021 at about 4.30 AM when the informant Ranjit Tanti was doing his duty along with other VDP members in Bholaguri area, 5 persons arrived there in a vehicle and after interrogating them it was found that they are from outside the state and that they were involved in business of fake gold. Then they were searched by the VDP party whereupon a piece of fake gold was recovered from them. Thereafter, they were handed over to the police along with the fake gold recovered from them and the informant Ranjit Tanti lodged an ejahar giving rise to Gohpur police station case no. 355/2021 u/s- 420/406/34 IPC was registered and investigation started. The accused Rajendra Suni and Dipak Suni along with the co-accused persons were arrested and forwarded to the court. Thus since 28-11-2021, the accused persons Rajendra Suni and Dipak Suni have been in judicial custody.

It is submitted by the Ld. Counsel appearing for the accused persons that they are totally innocent.

Now on perusal of the case diary it is found that IO has already examined all the material witnesses and completed a substantial portion of the investigation. It is found that the materials so far collected by the IO, against the accused persons Rajendra Suni and Dipak Suni are not sufficient warranting their further detention.

Therefore, considering the facts and circumstances of the case, the accused persons Rajendra Suni and Dipak Suni are allowed to go on bail of Rs. 15,000/- with a suitable surety of like amount to the satisfaction of the learned Elaka Magistrate.

Send back the C/D.