

Tezpur PS Case No-1193 of 2022
GR Case No-2230 of 2022
U/S-498(A)/436 of Indian Penal Code

ORDER

12.12.2022

Case record put up today along with bail application no-1656/2022 filed by petitioner, namely, Sri Rupjyoti Lahakar praying bail of accused person, namely, Sri Rupam Bora.

Heard learned counsels of both sides on the instant petition. Also perused the instant petition. The learned advocate of the petitioner has submitted that the above-named accused person is innocent and no way connected with the alleged offence. The Ld. Counsel of the accused further submitted that in the event of his release of bail there is no chance of his absconding. Hence, prayed to allow the bail prayer of accused person.

The prosecution story in brief is as follows that complainant Smt. Nijora Bora has lodged an ejahar before the O/C of Tezpur PS through I/C of Lalmati Police Outpost to the effect that on 17.11.2022 at about 04:00 PM, the above-named accused person without any reason physically assaulted her and also chased her with intent to kill her with a dao. It is also alleged that on the said day at about 09:45 PM, the above-named accused person had destroyed their TV, godrej and essential garments. It is also alleged that the above-named accused tortured her both mentally and physically. Hence, the prosecution case.

The case is under initial stage and the alleged offence is non-bailable and cognizable in nature. The alleged offence of section-436 of IPC is exclusively triable by Hon'ble Court of Sessions. At this stage, if the accused person is released on bail, the whole process of investigation of this case will be hampered.

12.12.2022

So, under such circumstances, considering the gravity and seriousness of offence alleged against the above-named accused person and the initial stage of investigation, I find that this is not a case where the accused person can be relied upon and enlarged on bail.

Accordingly, the bail petition No-1656/2022 filed on behalf of the above-named accused person stands rejected.

Inform all the concerned.

Sri Nabajit Bhatta
Chief Judicial Magistrate
Sonitpur, Tezpur