

Misc. Crl. case no. 199 of 2021

12-04-2021

This is an application u/s 438 of the Cr.P.C. filed by the accused-petitioner Babul Ali @Babul Ali Mondal with a prayer to grant pre-arrest bail in connection with Lakhipur P.S. case no. 145/2021 corresponding to G.R. case no. 589/2021 u/s 341/ 366/ 325/ 354(A)/ 306/ 34 of the IPC.

Heard both the sides.

The brief facts of the prosecution case is that the informant filed an ejahar dated 16.03.2021 stating that one month ago the 2 minor nieces of the informant went to a religious meet at 2 no. Nidanpur and from there the accused namely Mannan Ali kidnapped them in a car (Indica) and taken them to paddy field at that moment other accused-persons had arrived at the paddy field and they forcefully had taken away the nieces from the accused Mannan Ali to another paddy field and assaulted them causing grievous hurt and injury and the accused-persons made nude video of one of the niece of the informant and also threatened to dire consequences as a result of which on 09-03-2021 at about 9:00am one of the nieces of the informant committed suicide at her own home and hence the case was filed.

On the other hand, the defence story is that the accused-person was totally

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innocent and he is the only earning member of his family and as such, bail may be granted to him.

I have heard both the sides and also perused the case diary that had been received from which it is found that the investigation of this case is in progress and moreover, there are sufficient materials showing the involvement of the above named accused-person. Therefore, having regard to the serious nature of the offences as well as the gravity of the offence, this Court is of view that the prayer of the accused-petitioner needs to be rejected. Accordingly, the pre-arrest bail petition of accused Babul Ali @ Babul Ali Mondal is rejected.

Send back the CD with a copy of this order.

A copy of this order shall immediately make available to the petitioner subject to compliance of the required formalities and this order shall also be uploaded in the official website of the District Judiciary, Goalpara.

Inform all concerned accordingly.

This Misc. case is thus disposed of.


Special Judge,
Goalpara.