

Misc. CrI . case no. 33 of 2021

02-02-2021

The learned Counsel for the petitioner is present.

This is an application u/s 439 of the Cr.P.C. with a prayer to grant bail to accused namely Surat Zamal who is being detained in connection with Krishnai P.S. Case No. 176/2020 corresponding to G.R. case no. 2456/20 u/s 420/406/394 of the IPC.

The brief facts of the prosecution case is that on 16-12-2020 the informant lodged an ejahar before the O.C. Krishnai P.S. stating that the he was assaulted and a sum of Rs.4 lakhs 24 thousand only was taken away from him without delivering the vehicle to him as agreed and further his mobile phone, ATM card and PAN card were also taken out from his pocket and hence the case was filed.

On the other hand the defence story is that the accused-person was arrested only on suspicion and nothing was recovered from his possession and as such the accused should be allowed to go on bail.

I have heard both the sides and also perused the case diary from which it is found that there are incriminating materials

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against the above named accused-person in the case diary even though he has not been specifically named in the ejahar and considering all the facts and circumstances as well as the fact that the investigation of the case is in progress and the co-accuseds are yet to be arrested, I am of the opinion that release of the accused-person at this stage on bail may hamper the investigation and as such the prayer for his bail stands rejected.

A copy of this order shall be furnished to the petitioner or his learned Counsel forthwith by the Bench Assistant/ Court Master under his signature and shall also be uploaded in the official website of the District Judiciary, Goalpara.

Send back the CD with a copy of this order.

Inform all concerned accordingly.

This Misc. case is thus disposed of.

Sessions Judge,
Goalpara.