

Misc. CrI. 522/20

04.01.2021

The learned counsel for the accused-petitioners is present.

This is an application u/s 438 of the Cr.P.C with a prayer to grant pre-arrest bail to the accused-petitioners, namely – (1) Nityananda Hajong, (2) Rathindra Hajong and (3) Sachindra Hajong who are apprehending arrest in connection with Matia P.S. Case No.210/2020 corresponding to G.R. Case No.2295/2020 u/s 326/354/509 of the IPC read with Section 12 of POCSO Act.

I have heard both the sides and also perused the CD from which it is found that the investigation of this case is in progress and in the meantime, the statements of the informant, the victim and other witnesses have already been recorded.

The learned counsel for the accused-petitioners submitted that the accused-petitioners are aged persons and there is no chance of their absconding and as such, pre-arrest bail may be granted to them. The learned Special Public Prosecutor did not raise any objections and considering all the facts and circumstances including the progress of the investigation that has been made so far, the fact that the accused-petitioners are aged persons as revealed from their EPIC and also taking into account the nature of the offences, I am of the opinion that custodial interrogation of the accused-petitioners may not be required at this stage and as such, their prayer for pre-arrest bail stands allowed. Accordingly, it is directed that in the event of arrest, the accused-petitioners, namely- (1) Nityananda Hajong, (2) Rathindra Hajong and (3) Sachindra Hajong shall be released on pre-arrest bail of Rs.25,000/- (Rupees twenty five thousand) only each with a solvent surety of the like

amount to the satisfaction of the arresting authority in connection with Matia P.S. Case No.210/2020 subject to the conditions that the accused-petitioners shall appear before the Investigating Officer within seven days from today in order to enable the said officer to interrogate them and they shall also co-operate in further investigation of this case.

Send back the CD with a copy of this order. A copy of this order shall be furnished to the accused petitioners or their learned counsel forthwith by the Bench Assistant/Court Master under his signature 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.

Sessions Judge
Goalpara