

Misc. CrI. 298/21

21.06.2021

This is an application u/s 439 of the Cr.P.C filed by petitioner Hemen Marak praying for bail of accused Satinson Sangma @ Thakur who is in jail hazot in connection with Lakhipur P.S. Case No.300/21 corresponding to G.R. Case No.1061/21 u/s 376 of the IPC.

The called for case diary is received and I have perused the same. I have also heard the learned counsel for the petitioner and the learned Public Prosecutor for the State in the virtual court through video conferencing.

The brief facts of the case is that on 20.05.2021, complainant Sepony Marak lodged an ejahar with the Rongsai Police Outpost alleging that accused Satinson Sangma @ Thakur forcibly committed rape on her daughter Lakme Ch. Marak in her house in absence of other inmates of the house as a result of which her victim daughter became pregnant and on 16.05.2021, her victim daughter gave birth to a child.

The learned counsel for the petitioner submitted that the accused is innocent. It is further submitted that the accused being a local man there is no chance of absconding.

The case diary reveals that the victim girl in her statement u/s 164 of the Cr.P.C has implicated the accused in committing the offence as alleged. The investigation is going on. The DNA test report is yet to be collected by the concerned Investigating Officer.

As such, I am not inclined to grant bail to the accused at this stage of investigation. Accordingly, the bail prayer stands rejected.

Send back the CD with a copy of this order.

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 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