

Misc. Crl. 626/21

03.11.2021

Seen the petition u/s 438 of the Cr.P.C. filed by accused-petitioner Samidul Hoque who is apprehending arrest in connection with Lakhipur P.S. Case No.470/2021 corresponding to G.R. Case No.1643/2021 u/s 392 of the IPC.

The case diary is received and I have perused the same. I have also heard the learned counsel for the accused-petitioner as well as the learned Public Prosecutor.

The fact of the case, as per the ejahar, is that on 11.08.2021, at about 6:05am, while informant Nazrul Islam was transporting four calves, belonging to his uncle, from Lakhipur to his aunt's house at Simlabari due to lack of grass at Lakhipur, the FIR named two accused persons along with four others forcibly snatched away Rs.30,000/- from him at village Rakhalkilla.

The learned counsel for the accused-petitioner submitted that the accused-petitioner is an innocent person and he has been falsely implicated in the case. It is further submitted that he being a local person there is no chance of absconding on granting pre-arrest bail.

On perusal of the case diary, it appears that there are materials against the accused-petitioner so far collected by the Investigating Officer. The investigation is going on. Release

of the accused-petitioner on pre-arrest bail may hamper the further investigation.

In view of the above facts and circumstances as well as the stage of investigation, I do not think it to be a fit case for granting the privilege of pre-arrest bail to the accused-petitioner. Accordingly, the pre-arrest bail petition stands rejected.

Send back the C.D. with a copy of this order. A copy of this order shall also be furnished to the accused-petitioner or his learned counsel forthwith by the Bench Asstt./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