

Cri. Misc. No. 638/19

04.11.2019 Bail petitioner for accused persons namely (i) Sri. Manik Deka, (ii) Sri. Pradunna Deka, (iii) Sri. Sanjib Deka, (iv) Sri. Hemanta Deka, (v) Sri. Korna Deka, (vi) Sri. Manoj Deka and (vii) Sri. Abhijit Deka represented.

Learned Addl. P.P. Mr. N. A. Choudhury notified and appeared.

The instant bail application has been filed U/S 438 Cr.PC praying for grant of pre-arrest bail by accused petitioner namely- **(i) Sri. Manik Deka, (ii) Sri. Pradunna Deka, (iii) Sri. Sanjib Deka, (iv) Sri. Hemanta Deka, (v) Sri. Korna Deka, (vi) Sri. Manoj Deka** and **(vii) Sri. Abhijit Deka** who are apprehending arrest in connection with Morigaon P.S. Case No. 771/19 (GR No. 2584/19), U/S 143/341/336/324/307 IPC.

Petition is supported by an affidavit filed by Sri. Karna Deka, swearing that no bail petition has been rejected or pending before any other superior court including Hon'ble High Court.

Prosecution case, in concise, is that informant Sri. Tilak Deka lodged a written complaint stating inter-alia that on 17.8.2019 at about 6.00 p.m. while victim Dipen Deka was working in the field than accused persons namely (i) Sri. Manik Deka, (ii) Sri. Pradunna Deka, (iii) Sri. Sanjib Deka, (iv) Sri. Hemanta Deka, (v) Sri. Korna Deka, (vi) Sri. Manoj Deka and (vii) Sri. Abhijit Deka along with 20/25 people armed with dao, lathi, stone came and hit victim and rendered him injured. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused persons are innocent. He submitted that this case is result of accused side's filing Morigaon P.S. case no. 770/19. On the contrary, learned Addl. P.P. Mr. N. A. Choudhury submitted to pass order as per law.

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Perused CD & LCR. Seen medico-legal report. It appears that victim sustained "grievous injury" by "sharp weapon". In the attending situation, in view of materials in CD, bail prayer stands **rejected**.

The CrI. Misc. Case stands disposed off to the extent above.

Send back CD & LCR accordingly.

Inform all concerned.

Asstt. Sessions Judge,
Morigaon

