

Crl. Misc. No. 783/19

01.11.2019 Bail petitioner for accused person Sri. Monuj Gogoi represented.

The instant bail application has been filed U/S 438 Cr.PC praying for grant of pre-arrest bail by accused petitioners namely- **Sri. Monuj Gogoi**, who is apprehending arrest in connection with Mikirbheta P.S. Case No. 392/2019,(G.R No. 3148/19) U/S 333/34 IPC.

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

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

Perusal of case record shows that allegation vide ejahar shows that on 30.9.19 at about 4.00 p.m. while informant S.I. Premanand Deka went in search of accused person in connection with Mikirbheta P.S. case no. 390/19 u/s 498A/494/188/294/394 IPC present accused in the afternoon, at about 5.15 p.m. at Simolulal chariali, interfered and prevented police from picking up the accused in connection with Mikirbheta P.S. case no. 390/19. As a result of present accused person's driving the bike with speed informant P. Deka S.I of police fell down and sustained serious injury. Hence, this case.

Learned engaged counsel for the bail petitioners submitted that accused petitioner is innocent and also submitted that petitioner is a college student. Learned Addl. P.P N. A. submitted to pass order as per law.

Perusal of LCR & CD shows that vide medical report informant sustained "simple injury" by "blunt weapon. Apparently prime ingredient u/s 333 IPC lacks in light thereof.

Considering all aspects in light of CD arresting authority is directed that accused petitioner **Sri. Monuj Gogoi**, shall be released

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on bail in the event of his arrest, on furnishing bail bond of Rs. 20,000/-(twenty thousand) with one fit surety of like amount to the satisfaction of the investigating agency, on condition that accused person, will co-operate with investigation.

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

Send back CD and L.C.R accordingly.

Inform all concerned.

Asstt. Sessions Judge, Morigaon