

Crl. Misc. No. 792/19

01.11.2019 Bail petitioner for accused persons Sri. Ranto Kalita and Smt. Bhanti Kalita represented. CD not yet received. Learned counsel pressed for passing interim order, drawing attention to imminent danger to occupation of one of the bail petitioner Rantu Kalita.

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

Petition is supported by an affidavit filed by Sri. Rantu Kalita, swearing that no bail petition has been rejected by Hon'ble High Court or Sessions Court, Morigaon.

The instant bail application has been filed U/S 438 Cr.PC praying for grant of pre-arrest bail by accused petitioners namely- **Sri. Ranto Kalita** and **Smt. Bhanti Kalita**, who are apprehending arrest in connection with Morigaon P.S. Case No. 977/2019, U/S 498A/313 IPC R/W sec. 3 /4 of Dowry Prohibition Act.

Perusal of case record shows that allegation vide ejahar shows that accused person Smt. Bhanti Kalita is victim's mother-in-law. Victim was given in marriage with accused person Sri. Ranto Kalita in the year 2017. After her marriage accused persons used to torture victim physically and mentally on demand of dowry and victim had given Rs.50,000/- to accused persons. That in the year 2018 accused persons aborted her pregnancy forcefully. On 17.10.19 at about 11.00 p.m. both accused persons attempted to kill victim by beating her with bamboo lathi and throttling her neck. As a result she sustained grievous injury. Hence, this case.

Learned engaged counsel for the bail petitioners who pressed for interim bail, submitted that accused petitioners are innocent and one of the accused petitioner, namely Ranto Kalita is govt. service holder. Learned counsel submitted that basically it is a case u/s 498A IPC and

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posed question what hindered victim to lodge FIR soon after her alleged forceful abortion in 2018. Learned Addl. P.P N. A. Choudhury fairly submitted to pass order as per law.

Both the accused petitioners hail from jurisdiction of this court. Seen copy of I.D card of accused Ranto Kalita shown that he is an employee of Water Resource Department, Morigaon Considering entire aspects accused petitioners each are granted interim bail to the tune of Rs. 20,000/-(Twenty thousand) with one fit surety of like amount to the satisfaction of the investigating agency on condition that –

(i). they shall co-operate with investigation and shall not leave the jurisdiction of the court without permission from I.O.

Accordingly investigating agency is directed to release each of the accused petitioners, in the event of his arrest on above terms, in the interim, until receipt of CD and until order passed on hearing both sides.

Seen the report of I.O seeking another date to produce CD.
Allowed.

Call for C.D.

Fixed- **18.11.2019** for C.D/hearing.

Inform all concerned.

Asstt. Sessions Judge, Morigaon

