

**Crl. Misc. No. 798/19**

**11.11.2019**

Bail petitioner for accused person Muktar Hussain represented.

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

Heard both sides on bail petition filed U/S 439 of Cr.PC praying for grant of bail to accused person namely **Muktar Hussain** who is detained in custody in connection with Jagiroad P.S. case no. 686/2019 (G.R. No.3187/19) U/S 354/346/376/506 of I.P.C.

Petition is supported by an affidavit filed by Jahanara Khatun, swearing that no bail petition has been filed or pending before Hon'ble Gauhati High Court or any other court.

Prosecution case, in concise, is that complainant lodged a written complaint petition stating inter-alia, that accused person Muktar Hussain with promised to marry complainant cum victim took her to his house and kept her there for 3 days and had sexual intercourse with her. When victim asked him to solemnize Nikah accused person beat her by fist blow and ousted her. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused person is innocent. On the contrary, learned Addl. P.P. Mr. N. A Choudhury submitted to pass order as per law.

Perusal of CD and LCR shows that in the mean time the case has been charge sheeted vide charge sheet no. 387/19 u/s 498A/294/506 of IPC dated 24.10.19. I do not consider custodial detention a must now.

Considering all aspects and progressed in investigation accused person **Muktar Hussain** is **allowed** to go on bail of Rs. 20,000/- (Twenty thousand) with a fit surety of like amount to the satisfaction of learned Elaka Magistrate, Morigaon .

The Crl. Misc. Case stands disposed off.

Send back CD & LCR accordingly. Inform all concerned.

Asstt. Sessions Judge,  
Morigaon

