

**Crl. Misc. No. 803/19**

**11.11.2019**

Bail petitioner for accused person Sharafat Ali @ Islam Ali 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 **Sharafat Ali @ Islam Ali** who is detained in custody in connection with Mikirbheta P.S. case no. 428/2019 (G.R. No.3484/19) U/S 458/376/511 of I.P.C.

Petition is supported by an affidavit filed by Mala Ali, swearing that no bail petition has been filed or rejected by Hon'ble Gauhati High Court or any other superior court.

Prosecution case, in concise, is that informant Md. Nur Hussain lodged a written ejahar stating inter-alia, that on 17.10.2019 at about 10 p.m. while informant was absent at home then accused person namely Md. Islam entered into the house and attempted to rape on informant's wife by showing dagger. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused person is old and submitted copy of voter I.D vide petition no.801/19. On the contrary, learned Addl. P.P. Mr. N. A Choudhury objected the prayer.

Perusal of CD and LCR shows that victim incriminated the accused person. There is no dearth of incriminating material vide CD. Hence, bail prayer stands **rejected**.

The Crl. Misc. Case stands disposed off.

Send back CD & LCR accordingly.

Inform all concerned.

Asstt. Sessions Judge,  
Morigaon

