

**Crl. Misc. No. 827/19**

**25.11.2019**

Bail petitioner for accused person Jintu Gogoi 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 **Jintu Gogoi** who is detained in custody in connection with Mikirbheta P.S. case no. 407/2019 (G.R. No.3247/19) U/S 341/324/325/392 of I.P.C.

Petition is supported by an affidavit filed by Smt. Ruma Gogoi, swearing that no bail petition has been rejected or filed before Hon'ble Gauhati High Court or any other court.

Prosecution case, in concise, is that informant cum victim Sri. Bir sing Deka lodged a complaint petition stating inter-alia, that he is a labour. On 07.10.2019 at about 2.15 p.m. while he was returning from work then accused person Sri. Jintu Gogoi restrained him at Ahom gaon and demanded money and forcefully snatched away money from his pocket. When victim tried to prevent him, accused person beat her by fist blow, throttled his neck; also caused bite injury in his lips. As a result he sustained grievous injury. Accused person also snatch away Rs. 2500/-. 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 shows that in the mean time the case has been charge sheeted vide charge sheet no. 291/19 u/s 341/294/326/387 of IPC dated 31.10.19. I do not consider custodial detention a must now.

Considering all aspects and progressed in investigation accused person **Jintu Gogoi** 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 .

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The Crl. Misc. Case stands disposed off.  
Send back CD & LCR accordingly. C.S. be tagged to C.D.  
Inform all concerned.

Asstt. Sessions Judge,  
Morigaon