

Crl. Misc. No. 831/19

13.11.2019

Bail petitioner for accused person Sri. Bikash Das 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 **Sri. Bikash Das** who is detained in custody in connection with Mikirbheta P.S. case no. 437/2019 (G.R. No.3511/19) U/S 366A of I.P.C.

Petition is supported by an affidavit filed by Sri. Bijumoni Das, swearing that no bail petition has been rejected or pending before Hon'ble Gauhati High Court or Session Judge, Morigaon.

Prosecution case, in concise, is that informant Sri. Mukuta Dewraja lodged a written ejahar stating inter-alia, that on 28.10.19 at about 7.00 p.m. accused person Sri. Bikash Das kidnapped informant's minor daughter from his house. 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. 293/19 u/s 366A of IPC dated 31.10.19. I do not consider custodial detention a must now.

Considering all aspects, accused person **Sri. Bikash Das** 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. CS be tagged to CD.

Inform all concerned.

Asstt. Sessions Judge,
Morigaon

