

Crl. Misc case No. 849/19

26.11.2019 Bail petitioner for accused person Md. Samsul Hoque represented.

The instant bail application has been filed U/S 438 Cr.PC praying for grant of pre-arrest bail by accused petitioners namely- **Md. Samsul Hoque**, who is apprehending arrest in connection with Jagiroad P.S. Case No. 738/2019,(G.R No. 3455/19) U/S 448/376/511/326 IPC.

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

Petition is supported by an affidavit filed by Md. Samsul Hoque, swearing that no bail petition has been rejected or pending in Hon'ble High Court.

Perusal of case record shows that allegation vide complaint petition shows that accused person Md. Samsul Hoque visits complainant's home while her husband was absent since 4 months and proposed her for love. On 10.10.2019 at about 6 p.m. accused person attempted to rape her while she went to bring water. When victim run to save her she fell down and sustained grievous injury. Hence, this case.

Learned engaged counsel for the bail petitioner while drawing attention to agreement between Harej Ali and Samsul Hoque submitted that informant is wife of Harej Ali. He submitted that accused petitioner has been falsely implicated. Learned Addl. P.P. Mr. N. A. Choudhury submitted to pass order as per law.

Perused LCR & CD. Victim's statement u/s 164 Cr.P.C has widely incriminated accused person.

Weighing all aspects, in light of above, I am not inclined to grant the present prayer. Hence bail prayer stands **rejected**.

The Crl. Misc. Case stands disposed off to the extent above.

Send back CD and L.C.R accordingly. Statement of victim be tagged in sealed cover in L.C.R.

Inform all concerned.

Asstt. Sessions Judge, Morigaon