

Crl. Misc. No. 887/19

22.11.2019

Later on, C.R. put up on receipt of CD. Learned Addl. P.P. Mr. N. A. Choudhury notified and appeared.

Bail petitioner for accused person Sri. Luhit Medhi represented.

Heard both sides on bail petition filed U/S 439 of Cr.PC praying for grant of bail to accused person namely **Sri. Luhit Medhi** who is detained in custody in connection with Dharamtul P.S. case no. 93/2019 (G.R. No.3190/19) U/S 365 of I.P.C.

Petition is supported by an affidavit filed by Smti. Nirmali Medhi, swearing that no bail petition is pending before any other Court.

Prosecution case, in concise, is that informant Sri. Basanti Das lodged a written ejahar stating inter-alia, that on 27.09.19 accused persons Luhit Das and Padumi Hira took informant's husband Atul Medhi, in connection with one marriage to Haryana by train. On 29.09.19 accused person Luhit Das informed informant over phone that her husband Atul Medhi became traceless from one railway station after Delhi. Informant suspected that accused persons have confined him wrongfully. 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. 61/19 u/s 307 of IPC dated 31.10.19. I do not consider custodial detention a must now.

Considering all aspects and progressed in investigation accused person **Sri. Luhit Medhi** 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. C.S be tagged to C.D.

Inform all concerned.

Asstt. Sessions Judge,
Morigaon