

Crl. Misc. No. 928/19

28.11.2019

Bail petitioner for accused person Smti. Podumi Das @ Hira 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 **Smti. Podumi Das @ Hira** 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 Konmai Das, swearing that no bail petition has been filed or pending before Hon'ble High Court or this 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 and is languishing in jail for sufficient period. On the contrary, learned Addl. P.P. Mr. N. A Choudhury did not object.

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 and file is in the court of learned Elaka Magistrate. I do not consider custodial detention a must now.

Considering all aspects accused person **Smti. Podumi Das @ Hira** 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 on condition to be regular during trial.

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The Crl. Misc. Case stands disposed off.
Send back CD & LCR accordingly.
Inform all concerned.

Asstt. Sessions Judge,
Morigaon