

Crl. Misc. No. 965/19

06.01.2020 Bail petitioner for accused person Md. Saddam Hussain represented.

The instant bail application has been filed U/S 438 Cr.PC praying for grant of pre-arrest bail by accused petitioner namely- **Md. Saddam Hussain**, who is apprehending arrest in connection with Laharighat P.S. Case No. 308/2019,(G.R No. 2811/19) U/S 376/354/34 IPC.

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

Petition is supported by an affidavit filed by Md. Saddam Hussain, swearing that earlier one bail petition has been rejected by Hon'ble Asstt. Sessions Judge, Morigaon, except that no bail petition has been filed or pending in any other court including Hon'ble High Court.

Perusal of case record shows that allegation vide ejahar shows that on 03.09.2019 at about 9.30 p.m. while informant-cum-victim was sleeping at her younger sister-in-law's room then accused person Md. Saddam Hussain entered into the room and attempted to rape her by gagging her mouth and torn her attire. Later on, accused person tried to escape but in courtyard he was apprehended. At that time co-accused person Md. Abdul Hakim came and took away accused person forcefully. Hence, this case.

Learned engaged counsel for the bail petitioner submitted that accused petitioner is innocent. Learned Addl. P.P N. A. submitted to pass order as per law.

Perusal of L.C.R and CD shows that the investigation ended in charge sheet vide charge sheet no. 271/19 dated 30.11.2019 u/s 376/511 IPC.

Considering all aspects, accused petitioner is directed to approach the learned Elaka Magistrate of below with appropriate prayer, who shall deal with same as per law.

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

Send back CD and L.C.R accordingly. C.S be tagged to C.D.

Inform all concerned.

Asstt. Sessions Judge,
Morigaon

