

Crl. Misc case No. 1018/19

07.01.2020

Bail petitioner for accused person Sahabuddin represented.

LCR received as called for.

Learned P.P. Mr. A. Kalam 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 **Sahabuddin** who is detained in custody in connection with Mayong P.S. case no. 252/2019 (G.R. No.3459/19) U/S 366 of I.P.C.

Petition is supported by an affidavit filed by Ismail, swearing that earlier one bail petition has been rejected by Hon'ble Asstt. Sessions Judge, Morigaon, except that no bail petition is pending before Hon'ble Gauhati High Court or any other Court.

Prosecution case, in concise, is that informant Md. Najim Uddin lodged a written ejahar stating inter-alia, that on 11.10.2019 at about 10.00 p.m. accused person Md. Sahab Uddin kidnapped informant's married daughter/victim from her husband's place by application of force. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused person is innocent. On the contrary, learned P.P. Mr. A. Kalam submitted that case u/s 366 IPC and did not object.

Perusal of CD shows that since 21.10.19 accused person is behind bar. It appears accused person already completed statutory period behind bar and no FR as yet filed by I.O. Hence, accused person **Sahabuddin** 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.

Inform all concerned.

Asstt. Sessions Judge,
Morigaon