

Crl. Misc. No. 137/19

28.03.19

Bail petitioner for accused person Md. Narjul Islam 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 **Md. Narjul Islam** who is detained in custody in connection with Laharighat P.S. Case No. 77/2019 (GR No. 635/19), U/S 457/379/34 IPC.

Petition is supported by an affidavit filed by Abdul Sattar, swearing that no bail petition has been filed or rejected in Hon'ble Gauhati High Court or any other court.

Prosecution case, in concise, is that informant Md. Muksidul Islam lodged a complaint petition stating inter-alia that on 25.11.2018 at about 12 midnight while informant and their family members were sleeping then accused person along with co-accused persons entered into his house and committed theft of 3 mobile phones and Rs. 50,000/- cash. 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 CD.

Perusal of C.D and L.C.R shows that since 11.03.2019 accused petitioner is behind bar. Entire articles not yet recovered. Enlarging the accused person on bail, at this stage may temper witnesses and hamper with investigation. In interest of investigating agency bail prayer stands **rejected**.

The Crl. Misc. Case stands disposed off.

Send back L.C.R & CD accordingly. Inform all concern.

Asstt. Sessions Judge,
Morigaon

