

Crl. Misc. No. 311/19

04.06.19

Bail petitioner for accused person Subhas Medhi represented.

C.D as called for received.

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 **Subhas Medhi**, who is detained in custody in connection with Morigaon P.S. Case No. 409/19 (GR No. 1298/19), U/S 120B/143/493/494/420/323 IPC.

Petition is supported by an affidavit filed by Prem Kr. Bora, swearing that no bail petition is pending or rejected in any other learned Court including the Hon'ble Gauhati High Court.

Perusal of case record shows that allegation vide ejahar shows that accused person namely Subhas Medhi cheated victim by false promises that he will marry victim and by taking her to his house and established physical relationship. After few days the accused person along with other accused persons namely Sri. Surendra Medhi, Sri. Mangali Medhi, Sri. Lipika Laskar, and Sri. Kulen Medhi demanded Rs. 50,000/- from her parents house and tortured her physically and mentally. Later on accused person accompanied victim to her parent's house and leaving her there accused person Sri. Subhas Medhi married co-accused person Sri. Lipika Laskar. 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 CD shows that since 05.05.19 accused person is behind bar. By this time I.O. has visited place of occurrence, drawn sketch map and recorded statements of nearby witnesses. But since 05.05.19 vide C.D investigation is lying stagnant.

Contd...

Contd...
04.06.2019

In view of position in CD, I do not reckon further custodial detention necessary. Hence, accused person **Subhas 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 on condition-

- i) that, soon after his release, accused person would visit the concern I/O and shall regularly appear before him every fortnightly, there from, till filing of FF or till expiry of 2 months from his arrest, whichever is earlier.
 - ii) That, he shall not directly or indirectly make any inducement or threat or promise to` any person acquainted with the fact of the case till filing of FF.
 - iii) That, he shall co-operate with investigation and shall not leave the jurisdiction of the court without written permission from I.O.
- The CrI. Misc. Case stands disposed off.
Send back CD & L.C.R accordingly.
Inform all concern.

Asstt. Sessions Judge,
Morigaon

