

Crl. Misc. No. 340/19

11.06.2019

Bail petitioner for accused person Md. Baharul 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 person **Md. Baharul Islam** who is detained in custody in connection with Jagiroad P.S. Case No. 326/19 (GR No. 1594/19), U/S 392 IPC.

Petition is supported by an affidavit filed by Mohibun Nessa, swearing that no bail petition has been filed or pending or rejected by Hon'ble Gauhati High Court or any other Court.

Prosecution case, in concise, is that informant Forijul Hoque, Air Transport Corporation Assam Pvt. Ltd. lodged a written ejahar stating inter-alia, that on 20.5.19 at about 11.40 p.m. near Silbhanga petrol pump two unknown miscreants stolen away four cartoons of cloth and other items, cash amount Rs. 30,000/- and one mobile handset etc. while the informant was coming from Guwahati to Itanagar by kontener Body No. HR-55Q0992. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused person is innocent and arrested on suspicion because of his connection with another police case. On the contrary, learned Addl. P.P. Mr. N. A. Choudhury submitted to pass order as per CD.

Perusal of C.D & L.C.R shows that accused person is behind bar since 22.05.19. Stolen articles not yet recovered. Investigation is still in initial stage. Hence, 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

