

Crl. Misc. No. 350/19

04.06.2019

Bail petitioner for accused person Md. Sajidur Rahman @ Sajid Ali represented.

CD & L.C.R 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 person **Md. Sajidur Rahman @ Sajid Ali** who is detained in custody in connection with Mikirbheta P.S. Case No. 155/19 (GR No. 1261/19), U/S 366A IPC.

Petition is supported by an affidavit filed by Md. Suleman Ali, 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 Sri. Narayan Das lodged a written ejahar stating inter-alia that on 28.4.19 at about 12.00 midnight while informant's minor daughter/victim went out to attend nature's call then accused person Md. Sajidur Rahman kidnapped victim. 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 & L.C.R shows that victim has incriminated accused person both in her statement u/s 161 Cr.P.C and u/s 164 Cr.P.C. Application of force all pervasive in her statement u/s 164 Cr.P.C.

Considering incriminatory material in C.D, 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

