

**Cri. Misc. No. 698/19**

**22.10.2019**

Bail petitioner for accused person Sri. Debajit Bhuyan 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 namely **Sri. Debajit Bhuyan** who is detained in custody in connection with Dharamtul P.S. Case No. 85/19 (GR No. 2954/19), U/S 395 IPC.

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

Prosecution case, in concise, is that informant Altab Hussain lodged a written ejahar stating inter-alia that on 13.09.2019 at about 12.30 a.m.(night) while informant along with Md. Kalam Uddin was coming from Shillong towards Hojai on a car bearing registration no. ML-11-2484, on reaching Dharamtul P.S. eleka on N.H. 37 at about 12.30 a.m., 5/6 police personnel came on a Tata Sumo and stopped their car. They restrained them and physically tortured and made a video of them and demanded Rs. 10 (ten) lakhs only and forcefully snatched away Rs. 4 (four) lakhs only from informant. 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 objected to the bail prayer and also drawn attention to the objection against prayer in writing filed by I.O/ prosecution. Per-contra learned counsel has drawn attention to certain medical document of accused person's wife (photocopy).

Perusal of CD and LCR shows that accused person was a member of patrolling party at relevant time and there are sufficient incriminating material as against him vide CD. Also considered gravity of offence. Considering these aspects, bail prayer stands **rejected**.

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The Crl. Misc. Case stands disposed off.  
Send back L.C.R & CD accordingly.  
Inform all concern.

Asstt. Sessions Judge,  
Morigaon