

Cri. Misc. No. 738/19

24.10.2019

Bail petitioner for accused persons namely Sri. Mahadev Biswas, Sri. Harendra Biswas, Sri. Gopal Biswas, Sri. Sukriti Biswas, Sri. Raghunath Sarkar, Sri. Gobinda Biswas and Sri. Mithun Biswas represented.

LCR received as called for.

The instant bail application has been filed U/S 438 Cr.PC praying for grant of pre-arrest bail by accused petitioners namely **Sri. Mahadev Biswas, Sri. Harendra Biswas, Sri. Gopal Biswas, Sri. Sukriti Biswas, Sri. Raghunath Sarkar, Sri. Gobinda Biswas** and **Sri. Mithun Biswas** who are apprehending arrest in connection with Bhuragaon P.S. Case No. 118/2019 (GR No.2857/19), U/S 447/436/34 IPC.

Learned Addl. P. P. Mr. N. A. Choudhury notified and appeared.

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

Prosecution case, in concise, is that informant Sri. Suresh Mandal lodged a written ejahar stating inter-alia, that on 11.09.19 at about 1.00 a.m.(night) accused persons namely Sri. Mahadev Biswas, Sri. Harendra Biswas, Sri. Gopal Biswas, Sri. Sukriti Biswas, Sri. Raghunath Sarkar, Sri. Gobinda Biswas and Sri. Mithun Biswas entered into the courtyard of informant and wanted to kill informant's family members by setting fire in their dwelling house. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused persons are innocent. Learned Addl. P.P N. A. Choudhury submitted to pass order as per law.

Perusal of CD and LCR shows that on and off there arises quarrel between parties. Accused petitioner's hail from within the jurisdiction of this court.

Considering all these aspects, arresting authority is directed that accused petitioners namely Sri. Mahadev Biswas, Sri. Harendra Biswas, Sri.

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Gopal Biswas, Sri. Sukriti Biswas, Sri. Raghunath Sarkar, Sri. Gobinda Biswas and Sri. Mithun Biswas each shall be released on bail in the event of his arrest, on furnishing bail bond of Rs. 20,000/-(twenty thousand) with one fit surety of like amount to the satisfaction of the investigating agency, on condition that accused person, will co-operate with investigation and shall not leave jurisdiction of the Court without intimation to I.O.

The CrI. Misc. Case stands disposed off to the extent above.

Send back CD accordingly.

Inform all concern.

Asstt. Sessions Judge,
Morigaon

