

Crl. Misc. No. 757/19

24.10.2019

Bail petitioner for accused person Md. Karijul 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 namely **Md. Karijul Islam** who is detained in custody in connection with Mikirbtheta P.S. Case No. 316/19,(G.R. No. 2634/19) U/S 366A/368 IPC.

Petition is supported by an affidavit filed by Must. Jasmina Khatun, swearing that earlier one bail petition has been rejected by Hon'ble Asstt. Sessions Judge Morigaon, except that no bail petition has been filed or pending in Hon'ble Gauhati High Court or any other court.

Prosecution case, in concise, is that informant Md. Isab Ali lodged a written ejahar stating inter-alia, that on 17.08.19 at about 7.30 p.m. accused persons namely Md. Karijul and Md. Fojjuddin kidnapped informant's minor daughter from his courtyard. Accused person Md. Karijul handed over victim to one Md. Nur Jamal. On 18.08.19 informant found victim at accused person Nur Jamal's house and recovered victim from there through police. 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 an order as per law.

Perusal of CD and LCR shows that accused person is behind bar since 29.8.19. Victim recovered in the meantime.

Considering progress in investigation and period of detention, accused person **Md. Karijul Islam** 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,

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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 Crl. Misc. Case stands disposed off.

Send back L.C.R & CD accordingly.

Inform all concerned.

Asstt. Sessions Judge,
Morigaon