

Crl. Misc. No. 772/19

25.10.2019

Bail petitioner for accused persons Jaynal Abdin @ Jonna and Md. Sak Forid Ali @ Md. Sak Forith Ali represented.

Learned P.P. Mr. A Kalam notified and appeared.

Heard both sides on bail petition filed U/S 439 of Cr.PC praying for grant of bail to accused persons namely **Jaynal Abdin @ Jonna** and **Md. Sak Forid Ali @ Md. Sak Forith Ali** who are detained in custody in connection with Jagiroad P.S. Case No. 652/19,(G.R. No. 3057/19) U/S 380 IPC.

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

Prosecution case, in concise, is that informant Kushal Jyoti Lahan lodged a written ejahar stating inter-alia, that on 21.09.19 at about 12.00 a.m. to 2 a.m. someone stolen informant's Redmi note 5 pro mobile phone along with SIM no. 7002871755 from his home. Hence, this case.

Learned engaged counsel for bail petitioner submitted that accused persons are innocent. On the contrary, learned P.P. Mr. A Kalam submitted to pass an order as per law.

Perusal of CD and LCR shows that even though stolen mobile not yet recovered but another mobile recovered by police from custody of accused person Md. Sak Forid Ali. CD vide its note shows that accused persons are veteran in this kind of affair. 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 concerned.

Asstt. Sessions Judge,
Morigaon

