

Bail Application No. 135/2020

**24.04.2020**

Court work is paralyzed due to Corona Virus Pandemic.

Case diary has arrived. The case record of GR Case No.525/2020 has also been put up before me. Perused the case diary as well as the GR Case No.525/2020.

Heard learned counsel for the bail petitioner.

I propose to dispose of the bail application on merit.

This is a bail application filed u/s 439 of Cr.PC praying for granting of bail to the accused Uddhab Das who is in judicial custody since 27.02.2020 in connection with Jagiroad P.S. Case No. 120/2020 registered u/s 341/326/307 IPC.

Bail prayer has been made on the ground that accused is innocent and has a good social status in his locality and is a member of Gaon Panchayat of Pub-Dharamtul (Kha).

FIR discloses that on on 17.02.2020 at about 7:00 p.m. while informant Lakhi Das was going towards the daily market on foot the said accused obstructed him in front of the house of the accused and assaulted on his head by means of heavy material and dragged and threw him into a well situated at the back side of the house of the accused and tried to kill him by stabbing by means of bamboo but on hearing his hue and cry the neighbours arrived and saved him and subsequently he was given medical treatment in Nellie State Dispensary.

There is sufficient incriminating material against the accused in the case diary. In his statement u/s 161 Cr.PC the informant has stated that whatever he has stated in the FIR is his statement before the I.O. In their statement u/s 161 Cr.PC witnesses Hara Kanta Das and Jintu Das have claimed that they saw the accused throwing bricks on the body of the informant

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who was inside a well in the campus of the house of the accused and the accused was shouting that he would kill the informant. These two witnesses further stated that they saved the informant from the accused.

The I.O. has already submitted charge-sheet against the accused for offence u/s 341/323/307 IPC and the GR Case is awaiting commitment.

Considering the incriminating material against the accused the prayer for granting bail to the accused is rejected. Accordingly bail application stands disposed of.

Return the case diary and the case record of GR Case No.525/2020 to the PSI, Morigaon for presenting the same before the concerned Learned Magistrate.

Let a copy of the order be given to the petitioner/learned engaged counsel of the petitioner free of cost under the signature of Bench Assistant/Head Assistant for their record.

Send a copy of this order to learned Chief Judicial Magistrate, Morigaon.

i/c Sessions Judge  
Morigaon