

Bail Application No. 155/2020

09.04.2020:

The Court works paralyzed due to Corona Virus pandemic and Nationwide Lockdown.

The Case Diary as called for has been received. Perused the same.

Heard learned PP and learned advocate, Mr. J. A. Bhutto on behalf of the accused petitioner.

This is an application filed u/s 439 Cr.PC, praying for granting bail to accused person namely, Haider Ali in connection with Bhuragaon PS Case No. 29/2020 (GR No. 500/2020) u/s 448/376 IPC.

The FIR dated 21.02.2020, lodged by one Nurjahan Begum discloses that about a week back from the date of filing of the FIR, the accused by taking some plea entered into her house and committed rape on her. On her hue and cry the accused fled away.

On going through the Case Diary, it appears that the Investigating Officer has already submitted charge sheet against the accused Haider Ali for trial u/s 448/376 IPC. It also appears that the victim is a major in age.

Considering the fact of completion of investigation and the fact that the accused is in judicial custody for about 48 days and also the present situation of Corona Virus Pandemic, the prayer for bail is allowed. Accordingly, accused person namely, Haider Ali is allowed to go on bail on execution of bail bond of Rs. 20,000/- with one surety of like amount to the satisfaction the learned Magistrate on Roster Duty/learned Elaka Magistrate with further condition that he shall not tamper the evidence and shall not dissuade the witnesses from coming to the Court during trial.

The bail petition stands disposed of.

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Send back the Case Diary and the charge sheet along with a copy of this order to the Officer-in-Charge of Bhuragaon Police Station to re-submit the same through proper channel.

Also send a copy of this order to the learned CJM, Morigaon.

A copy (free of cost) of this order shall also be furnished to the learned advocate for the accused petitioner under the signature of the Head Assistant/Bench Assistant for his record/information.

Sessions Judge
Morigaon, Assam