

Cri. Misc. (B) Case No. 486/2020

ORDER

21-09-2020

CD of Chabua PS Case No. 129/2020 under Sections 120-B/121 IPC read with Section 66(F) of IT Act read with Section 10/13 of UA(P) Act received in connection with bail of accused Sri Himadri Gogoi @ Danish.

The allegation as per the FIR dtd. 04-07-2020 is that a number of youths were found active in social media platform posting comments against the nation. Sri Himadri Gogoi @ Danish was found active in his Facebook page to take up weapons and spread hate messages against the nation. They were indulged in influencing the youths to join ULFA(I).

Learned Advocate for the accused submitted that the accused is in custody from 04-07-2020 and it is more than 2 ½ months since then and considering the period of detention, his bail prayer may be allowed.

The case has been registered under Sections 120-B/121 IPC read with Section 66(F) of IT Act read with Section 10/13 of UA(P) Act. The offences are of serious and the CD contains incriminating materials against the accused. He was arrested earlier in Tinsukia PS Case No. 1866/2019 under Sections 120-B/121/121-A IPC read with Sections 10/13 of UA(P) Act.

Objection has been raised against the bail prayer on the ground that the accused will threaten the witnesses, tamper with the evidence and a possibility of breach of peace.

Seen the documents contained in the CD.

Considering the nature of allegation and incriminating materials in the CD, grant of bail prayer at this stage is not felt justified. Hence, rejected.

Misc. case stands disposed off.

Let a copy of this order be released as certified to be true copy under the signature of the Bench Assistant.


21-9-2020
Sessions Judge,
Dibrugarh