

Crl. Misc. (B) Case No. 683/2021

ORDER

03.12.2021

This is a bail application under Section 439 CrPC, supported by an affidavit, submitted by learned Counsel praying for granting bail to accused Sri Nikhil Verma in connection with Dibrugarh PS Case No. 2141/2021 corresponding to GR Case No. 4342/2021 under Sections 376/511/325/506/34 IPC.

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

Learned Counsel for the petitioner has again submitted that the allegations levelled against the standard-12 student who is a relative of the informant is totally false, in as much as, certain colour is being sought to be given to the strained relationship between the family members in order to attract the provision of Section 376 IPC. Learned Counsel further submits that on the same day, the accused too, lodged an FIR which was registered as Dibrugarh PS Case No. 2149/2021 and again on 11-11-2021, Jyoti Verma as informant filed a representation before the District Magistrate alleging land grabbing attempt. In view of the same, learned counsel for the accused petitioner submits that since the accused is a student and his examination are nearing and hence the present bail application may be considered favourably.

Case Diary called for had been received and was perused on 26.11.2021; after which I/O was directed to collect injury report and forward the same to the Court on 03.12.2021. Today neither injury report has been received nor any communication is seen to be forthcoming.

Considering the matter in its entirety, the period of detention which shows that the accused is in custody since 09.11.2021, the case and cross case between the informant's family members and accused petitioner's family, the present petition is allowed.

It is directed that the accused petitioner's namely, Mr. Nikhil Verma be released on bail of Rs.35,000/- with one surety of like amount to the satisfaction of the learned Elaka Magistrate.

It is further directed that the said accused person (i) shall not commit an offence similar to the offence of which he has been suspected of; (ii) fully cooperate in the investigation of the case and appear before the investigating officer as and when required and (iii) he shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any other police officer or tamper with the evidence.

Misc. CrI. (B) Case accordingly stands disposed of.

Sessions Judge,
Dibrugarh