

Present: : **Sri S.K. Kabra**
Addl. Sessions Judge (FTC)
Dibrugarh.

Criminal Misc. (B) Case No. 724/2021

Order

20.12.2021

This is a petition u/s 439 of CrPC seeking grant of bail to accused **Shri Prince Hazarika**, who is in jail custody since 20.10.2021, in connection with Dibrugarh P.S. Case No. 1999/2021 registered u/s 302 of IPC.

Called for Case Diary is received. I have perused the Case Diary and also heard both the parties.

During hearing, Ld. Counsel for the petitioner/accused submitted that accused have been falsely implicated in the present case. It is stated that the incidence took place near the house of the accused and on being refused to give the names of the boys involved in the incident, the present accused person has been arrested. It is also stated in the petition that at the time of incident accused was not at the place of occurrence but was carrying Durga Idol in his vehicle of Ketla Market Baraf Factory Durga Puja Mandal and he was busy running his vehicle since 2 PM till 8 PM on 15.10.2021. Learned Counsel for the accused further submits accused person shall abide by any condition imposed upon him if bail is granted.

On the other hand, learned Addl. PP has opposed the bail petition.

It appears from the record that the victim was mercilessly beaten by a group of 10-12 boys, and victim succumbed to his injuries. Police has registered the case under Section 302 of IPC.

I have considered the submissions of both sides. After going through the entire record, it appears that during investigation I.O. has

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collected incriminating materials against the accused person. Considering the nature of accusation and gravity of the charge, I am of the opinion that it is not a fit case for grant of bail to the accused Shri Prince Hazarika at this stage.

Hence, **the prayer for bail is rejected.**

Send back the Case Diary along with a copy of this order to the Dibrugarh Police Station for information and record.

Accordingly, the bail Petition is disposed of.


Addl. Sessions Judge (FTC)
Dibrugarh