

Crl. Misc. (B) Case No. 729/2021

ORDER

23-12-2021

This is a bail application under Section 438 CrPC, supported by an affidavit, submitted by the accused petitioner Sri Tarun Sonowal through learned counsel praying for granting pre-arrest bail in connection with Dibrugarh PS Case No. 2266/2021 corresponding to GR Case No. 4657/2021 under Sections 323/354 IPC.

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

Case Diary called for has not been received and the IO has submitted a report stating that he is unable to forward the Case Diary as he is busy in law and Order duty.

Learned Counsel for the accused petitioner in support of the petition contends that the allegation in the FIR would show that false FIR has been lodged against the accused petitioner only to harass him and that a land dispute is going on between the two families. Learned counsel further submits that it is apparent that the investigating agency has not been able to collect any materials to attract Section 354 IPC and hence, has not been able to submit the Case Diary in the Court today. It is the submission of the learned counsel that the accused petitioner will fully cooperate with the investigation of the case, in the event the present petition is allowed. Perused the certified copies of the relevant documents enclosed with the bail petition.

Considering the matter in its entirety, submissions advanced by the learned Counsel and the nature of imputation in the FIR, this Court is of the considered view that the present application be allowed.

Ordered accordingly.

It is, therefore, directed that the accused Sri Tarun Sonowal will appear before the investigating officer within 10 (ten) days from the date of this Order and in the event of his arrest in connection with Dibrugarh PS Case No. 2266/2021 (GR Case No. 4657/2021), the accused petitioner, namely, Sri Tarun Sonowal be released on bail of Rs. 15,000/- with one surety of like amount to the satisfaction of the arresting authority.

It is further directed that the accused petitioner shall appear before the IO as and when required and fully cooperate in the investigation of the case.

With the above Order, this Crl. Misc. (B) case stands disposed of.


Sessions Judge,
Dibrugarh
Dibrugarh