

Criminal Misc Bail Case No. 630 of 2020

**Present:- Sri S. Hazarika,
Additional Sessions Judge, Barpeta.**

ORDER

14/09/2020

This is a bail application filed u/s 439 Cr.P.C. praying for grant of bail to accused Shahjahan Ali in connection with Barpeta P.S. case No. 01/2020 corresponding to GR case no 10/2020 u/s 120(B)/304(B)/34 IPC.

Heard learned counsels for both sides. Call for case diary has been received and same is perused.

The informant Aziz Khandakar lodged an FIR alleging inter alia that sister of the informant Hasna Khatun married to accused No. 1 some 13 years ago. After two years of marriage at the instigation of the other accused persons, sister of the informant was subjected to torture in order to extract dowry. The victim was subjected to physical and mental torture and accused No. 1 also threatened to perform the second marriage. After their wedlock, the sister of the informant gave birth four children. Since, last year the accused persons hatched conspiracy to kill the sister of the informant.

On the date of occurrence, the accused persons assaulted the sister of the informant and thereafter poured kerosene on her person. She was put to fire as a result of which the sister succumbed to death.

Learned counsel for the accused has submitted that accused was arrested on 30.07.2020 and accused person is innocent and has been falsely implicated in this case and he is a local resident. He will abide by all the directions if granted bail.

On consultation of the case diary, it appears that the investigation of the case is in progress. The allegations are serious in nature. I.O. of the case has already collected sufficient incriminating materials against the accused. Hence, I am not inclined to grant bail to the accused at this stage as releasing the accused on bail may hamper the investigation of this case.

The prayer for bail is accordingly rejected.

Return the C.D. to I/O along with a copy of this order.

The bail petition is disposed of.

Copy of this order be certified by the office as true copy.

Sd/-

**I/C- Sessions Judge,
Barpeta**