

Crl Misc Bail Case No.628/2020

15.09.2020

Called for case diary has been received.

This is a bail application under Section 439 CrPC filed by petitioner Kashem Ali for the **accused Shofikul Islam** in connection with Kalgachia PS Case No. 526/2020 under Sections 147/148/149/447/ 326/302 IPC.

The brief fact of the case is that on 31.01.2020 at about 1:30 PM, when Habej Uddin and Hanif Ali, who are the father and uncle of the informant Khairul Islam, went to see their land near the house of accused Asuruddin, then the accused person, in a pre-plan manner, entered into their land and assaulted the father and uncle of the informant severely. The injured were taken to Medical but later on Habej Uddin succumbed to his injuries. Hence the case.

I have heard the learned counsel of both sides and perused the called for the case diary.

It is seen that the accused is behind the bar since 01.06.2020 and has already completed 90 days in judicial custody.

On being asked, learned P.P., Barpeta Mr. L.C.Nath submitted that the I.O. has not yet submitted charge sheet in this case.

In view of the above and considering the fact that the accused had completed three months in judicial custody, I allow the above named accused to go on bail of Rs.30,000/- with one surety of like amount to the satisfaction of Learned Eleka Magistrate, on condition the accused shall not hamper and temper in the investigation of the case and shall appear before the I.O. at all reasonable time.

Send a copy of this order to the learned Eleka Magistrate and inform accordingly.

This case, accordingly, stands disposed of.

Sd/-
Sessions Judge,
Barpeta