

Crl. Misc. (B) Case No. 727/2021

ORDER

03-01-2022

This is a bail application under Section 439 CrPC, supported by an affidavit, submitted by learned Counsel praying for granting bail to petitioner/accused No. 2 Sri Gopal Urang @ Petuwa in connection with Chabua PS Case No. 250/2021 under Sections 302/34 IPC.

Case Diary called for has been received.

Heard the learned counsel for the petitioner/accused No. 2 and the learned Public Prosecutor.

Learned counsel for the petitioner/accused No. 2 submits that the accused No. 2, namely, Sri Gopal Urang @ Petuwa is in no way connected with the death of the informant's husband, namely, Paresh Das nor is he in any way related to the accused No. 1 namely, Sri Ashok Mirdha. Learned Counsel submits that perusal of the materials on record reveals that the present petitioner was arrested only on the ground of suspicion as allegedly he had dispute with the deceased two years back. So submitting, the learned Counsel submits that the accused being in custody since 01-12-2021, ought to be released on bail, in as much as, there is no incriminating material collected by the IO against the accused.

Learned Addl. Public Prosecutor on the other hand, has submitted that the investigation is still at the nascent stage and the vital documents like Inquest-Report, Post-mortem Report is yet to be collected by the IO which would indicate the cause of death of Paresh Das.

Perused the Case Diary.

Considering the materials in its entirety, the nature of offence and the progress of investigation, the present petition stands rejected, at this stage.

Send back the Case Diary along with a copy of this Order.

Crl. Misc. (B) case stands disposed of.

JA
Addl. Sessions Judge,
i/c District Judge,
Dibrugarh

122-011 Chabua (CP)
37/1/22
(C.C.D.)