

Crl. Misc. (B) Case No. 258/2022

18.07.2022

Learned Advocate for the accused Nitunjoy Rajkonwar is present and he has filed a certificate of the local Gaonburah mentioning inter alia that on 5th June the accused Nitunjoy Rajkonwar entered into love marriage with the victim girl.

*CPD Acharya
26/4/22*

Case diary and case record of Naharkatia P.S. Case No. 68/2022 are received, which were called for.

Heard both the sides and perused the case record and the case diary.

*CPD Acharya
26/4/22*

The allegation in the FIR dated 04.07.2012 relates to kidnapping of complainant's minor daughter. Initially the case was registered u/s 366/368 of IPC. But vide Order dated 15.07.2022, passed in Naharkatia P.S. Case No. 68/2022, Section 376(i) of IPC R/W Section 4 of POCSO Act was added to the case as per prayer of the I/O, which was made on the basis of the fact revealed from the statement u/s 164 Cr.P.C. of the victim girl that there was physical relationship between her and the accused. The victim is a minor girl aged 16 years as stated in the deposition form of her statement u/s 164 Cr.P.C. Along with the case diary, the I/O has also submitted the bail objection not to release the accused on bail at this stage.

contd.

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Addl. District & Sessions Judge
Dibrugarh

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Considering the serious nature of the offence, materials available in the case diary and the ongoing investigation, granting of bail to the accused Nitunjoy Rajkonwar at this stage is not felt justified. Hence the bail prayer is rejected at this stage.

Send back the case record and the case diary of Naharkatia P.S. Case No. 68/2022 along with a copy of this Order.

This Crl. Misc. (B) Case is accordingly disposed of.


Addl. Sessions Judge,
Addl. District & Sessions Judge
Dibrugarh
Dibrugarh