

Bail Application Case 534/2022

20-03-2023

Called for further progress report and up-to-date case diary has not been received.

Learned counsel for the accused is present.

This is an application U/s. 439 Cr.P.C praying for bail of accused Sri Ram Prabhu Mahato who was arrested in connection with Tinsukia GRPS case no. 27/2022 corresponding to G.R case no. 2076/2022, U/s. 120(b)/406/379/411 of IPC R/W sec. 20(2) of COTPA Act, 2003.

The bail petition is submitted on the ground that the accused is under judicial custody since 27.11.2022. The accused has not committed any heinous crime. The accused was arrested merely on suspicion etc. and prayed for bail.

The fact of the case as narrated in this case is that on 26.11.22, Sri Probin Duwari, ASI Tinsukia GRPS while performing Platform duty at NTSK Railway Station, as per reliable source alongwith staff and few RPF personnel proceeded to Platform no. 1 and intercepted four numbers of wooden cart suspicious of carrying illegal articles and on suspicion they checked the cart where they found cardamom and suspected foreign cigarettes hidden in bags. The accused could not produce any document and the accused told that the consignment was supposed to be transported from

NTSK to New Delhi in Avadh Assam Train. The accused failed to give any information about the consignor and the consignee. On search 143 bundles of Foreign cigarettes hidden in 766.1 kg Elachi(cardamon) were found.

Seen the petn. no. 518/2023 filed by the Id. Counsel of the accused praying for making the interim bail order 26-12-2022 absolute.

Heard both sides and gone through the record in hand.

It appears that as per direction accused person has co-operate with the I.O. Today the I/O has failed to submit the Up-to-date CD and progress report of this case. Considering all, the interim bail granted vide order dated 26-12-2022 is hereby made absolute with the following conditions :-

- (i) The accused shall not hamper and temper the witnesses,
- (ii) Accused shall not leave the jurisdiction of this court till further order.

Inform the I/O. A copy of the order be sent to I/O.

The bail petition is disposed of accordingly.

Dictated

Addl. Sessions Judge-2(FTC),
Tinsukia