

CrI. Misc Case No. 130/22 (u/s 439 CrPC)

22/11/2022

Seen the bail petition u/s 439 CrPC by the petitioner Rafijan Bibi on behalf of accused Siraj Ali praying to allow him to go on bail in connection with Belsor PS Case No 192/2022 u/s 498(A)/323/506/376/ 34 IPC.

The brief fact of the case is that on 20/09/2022 informant Runuma Begum lodged an FIR before Belsor PS stating that the accused Md Rahul Ali and Md. Siraj Ali physically and mentally torture her since her marriage and on 02/08/2022 at about 10 PM her father-in-law i.e. accused Siraj Ali asked her to provide meal in his bedroom. The mother-in-law was lying on the bed due to her illness. When she went to provide meal in her father-in-law's room he forcefully rape her showing a knife and threatened her. Accordingly police registered a case being Belsor PS Case No 192/2022 u/s 498(A)/323/506/376/ 34 IPC.

The learned counsel for the petitioner submitted that after marriage the informant used to quarrel with the family members of the accused and she has no interest to do any household work. On the day of occurrence the mother-in-law of the informant asked her to prepare dinner but she refused. There was a quarrel between her and her mother-in-law. The informant broke some household articles and then went

to her paternal house and lodged the ejahar making some false and fabricated story. The learned counsel further submitted that it is not believable that the father-in-law forcefully committed rape of the informant when her mother-in-law was lying on the bed in the said room.

Heard learned PP and perused the case diary and the statement of the victim. There are incriminating materials against the accused Siraj Ali regarding the commission of rape. As such the bail prayer for the accused Siraj Ali is rejected.

This misc case is disposed of.

Return the case record of PRC Case no. 1618/22 to the court of learned JMFC, Nalbari.

Sessions Judge
Nalbari