## Special (P) Case No. 17/14

## 31/08/19

Accused Jayanta Baishya is produced from custody and he is remanded till 13/09/19. Two PWs present. Examined and after cross examination discharged.

Learned PP submitted that as the victim and informant do not support the prosecution case, he does not want to examine the remaining witnesses and prays for closing the prosecution evidence.

Perused case record and statements of the witnesses. Evidence of three PWs has been recorded. After going through the statements of the PWs I find that there is force in the submission of the learned Special PP. Accordingly, prosecution evidence is closed.

Seen petition vide No. 1402/19 filed by Binita Baishya praying for grant of bail to accused Jayanta Baishya citing that accused will regularly face the trial if bail is granted to him.

Heard both sides. Perused case record. Record shows that due to default in appearance before the court, the accused was arrested on 01/07/19 on the strength of an NBWA issued against the accused. Evidence of the victim, evidence of informant cum father of the victim, and evidence of the has been already recorded and as per prayer of the learned Special PP, prosecution evidence has been closed. Case is at the stage of recording statement of the accused u/s- 313 CrPC. Considering all the above aspects, I am of the opinion that further custodial detention of the accused is not required. Accordingly, accused Jayanta Baishya is allowed to go on bail of Rs. 10,000/- with a surety of like amount, in default remanded to jail hajot, on conditions that,

- 1. Accused shall appear before the court on each date along with his bailor.
- 2. Accused shall not leave the jurisdiction of this court without permission till disposal of the case.

3. Any violation of the above conditions would amount to cancellation of bail automatically.

Fixed 13/09/19 for SD.

Special Judge Nalbari