

Crl Misc Bail Case No.663/2020

14.09.2020

This is a bail application under Section 439 CrPC filed by petitioner **Hasen Ali for accused Abdul Awal** in connection with **Kalgachia PS Case No. 444/2020** corresponding to **GR Case No 3938/2020** under **Sections 366/34 of IPC.**

Perused the called for case record and heard the learned Public Prosecutor.

The brief fact of the case is that on 24.08.2020 at about 3:00 PM, the younger daughter of informant namely Sonekha Khatun was allegedly kidnapped by the accused Abdul Awal and other one from Chenimari while she was coming from Langla College. Hence the case.

I have heard the learned P.P. who submits that he has no objection, if bail is granted to accused. Learned P.P. submitted that victim clearly stated in her statement recorded under Section 164 CrPC that she willingly went the accused and after that, she got married with the above named accused person. Hence, the learned PP did not raise objection against the accused person.

From the statement of the victim recorded under Section 164 CrPC, it is clear that accused did not kidnap her. She deposed in her statement that on the day of alleged incident, she herself called the accused and went with the accused willingly. After that, she got married at Bijni Court. Then, they went to Dhubri and stayed there for one week.

In view of the above, in my considered view further Judicial custody of the accused is not required for the investigation of the case. Accordingly, accused namely Abdul Awal is allowed to go on bail of Rs.15,000/- with a surety of like amount to the satisfaction of Learned eleka Magistrate.

Send a copy of this order to the learned eleka Magistrate and I.O. of this case. Send back the record of the case immediately.

This case, accordingly, stands disposed of.

Sd/-
**Sessions Judge,
Barpeta**