

**06.11.2020:**

The bail petition no. 179/2020 filed u/s 439 CrPC on behalf of the accused Pulok Bhuyan in connection with Gohpur PS Case No. 350/2020 u/s 366 IPC is taken up. The case diary as called for is not received.

Heard learned counsel for both the sides.

It has been submitted by the learned counsel for the petitioner that the victim accompanied the accused on her own as is apparent from the FIR and therefore no case u/s 366 IPC is made out against the accused.

The accused has been under detention since 23.09.2020.

In the 'ejahar' dated 17.09.2020, the informant states that on the previous night at about 1.30, his 29-year-old wife went missing from his house while he was asleep. She left the house with her ornaments, clothes and a mobile phone. Later he could learn that the accused Pulok had eloped his wife.

Considering the nature of allegations made in the 'ejahar', taking note of the length of detention of the accused, I find that further detention of the accused in custody is not warranted. The petition is therefore allowed.

The accused is allowed to be released on bail of Rs.10,000/- (Rupees Ten thousand) with one surety of the like amount to the satisfaction of the learned Elaka Magistrate on the condition that he shall cooperate in the investigation of the case.

Return the case diary. The Misc. Case is disposed of accordingly.

Inform all concerned.

