

**18.11.2020**

The bail petition no. 749/2020 is filed u/s 438 CrPC by the petitioner, Sri Harish Munda in connection with Behali PS Case No. 84/2020 u/s 365 IPC apprehending arrest in the instant case.

Heard learned counsel for both the sides.

The learned counsel for the petitioner submitted that the petitioner is innocent but he apprehends arrest in this case.

The case diary as called for is received.

The informant in his 'ejahar' dated 30.09.2020 stated that his sixteen-year-old daughter has remained traceless after she had gone to school at about 12.30 pm on 28.09.2020. Later he could learn that one Babu Munda has eloped his daughter.

The victim in her statement recorded u/s 164 CrPC has stated that the accused petitioner did not kidnap her and she had willingly gone with him as she had love affair with him.

Considering the statement of the victim, I find that custodial interrogation of the accused person is not warranted. This is a fit case wherein the benefit of pre-arrest bail can be extended to the accused petitioner. Hence, the petition is allowed.

Accordingly, the O/C of Behali P.S. is directed to release the petitioner in the event of his arrest in connection with the instant case, after obtaining a bail bond of Rs.10,000/- with one surety of the like amount on the conditions that- (1) the petitioner shall surrender before the O.C. of the concerned P.S. within two days, (2) the petitioner shall make himself available for interrogation by the Investigating Officer as and when required, (3) he shall not hamper the investigation or tamper with the evidence of the case, (4) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Investigating Officer.

Inform the O/C of the concerned P.S.

Send back the case diary.

The Misc. Case is disposed of, accordingly.



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