

**18.11.2020:**

The bail petition no. 761/2020 filed u/s 439 CrPC on behalf of the accused Sri Totow Borah @ Bipul Borah in connection with Gohpur PS Case No. 392/2020 u/s 366-A IPC is taken up. The case diary as called for is 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.

The accused has been under detention since 19.10.2020.

Perused the case diary.

In the 'ejahar' dated 16.10.2020, the informant states that on the same day at about 1.30 pm, her 15-year-old daughter was kidnapped by the accused Totow Borah.

The victim in her statement recorded u/s 164 CrPC stated that she had eloped with the accused on her own wish and she was not kidnapped by him. Further she stated that no physical relationship took place between them.

The statement of the victim and the length of detention of the accused do not warrant further detention of the accused in custody. 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.

NO. 194/2020  
MAGISTRATE  
G.O.PUR