

Misc. CrI. (bail) Case No. 28 of 21

4 -2-2021

Seen the petition filed U/s.439 of Cr.P.C. seeking bail for accused Sri Sankar Murmu who was arrested and detained in Tezpur jail Hazot since 19.12.2020 in connection with Dhekiajuli P.S. Case No. 104/2020 u/s 366(A) IPC (corresponding G.R. Case No. 608/20).

Case diary, as called for, has been received and perused the same. Heard Id. Counsel for both. I have also perused the statement of the alleged victim girl recorded U/s.164 of Cr.P.C.

It appears that the alleged incident took place some three months prior to lodging of the FIR. It further appears from the materials in the case diary that there was love affairs between the accused and the alleged victim girl and therefore, on her missing, it was suspected that she had run away with the accused but after three months when the accused re-appeared in his village he declined that the alleged victim girl went away with him. However, subsequently, the alleged victim girl has returned to the village and stated that she was taken to Punjab by the accused and was kept in a house for domestic work. It further appears that she had however, subsequently returned back to Assam from Punjab. There is nothing in her statement to show that she was subjected to any sexual assault.

Considering the materials available in the case diary and also the fact that the accused has been in detention since 19-12-20, I am of the view that his further custodial detention is not necessary for the purpose of this case.

Consequently, the accused is allowed to go on bail of Rs.10,000/- (Rupees ten thousand) only with one surety of like amount to the satisfaction of the Ld. Elaka Magistrate on condition that he shall extend all necessary cooperation with the investigation of the case.

Let the case diary be sent back.

Misc. case stands accordingly disposed of.

(N. Akhtar)

Additional Sessions Judge
Sonitpur, Tezpur

**Additional Sessions Judge,
Sonitpur, Tezpur**