

**Misc.(Crl) Case No. 393/2021****ORDER****02-11-2021**

This is an application u/s 439 Cr.P.C. filed by one Musstt. Malika Khatun seeking bail for accused Md. Abul Hussain in connection with Tezpur PS Case No. 2044/2021 u/s 366 of IPC.

I have heard the learned lawyers appearing for both sides and also gone through the contents of the case diary which reveals that on 20-09-2021 at about 5 PM the daughter of informant was allegedly kidnapped by accused person.


However, during investigation it has emerged that on the date of alleged incident the girl was major and as revealed by her u/s 164 Cr.P.C. before Magistrate she voluntarily eloped with accused. There was no such force, coercion or pressure on her in the alleged offence on the part of accused.

Case diary further reveals that accused has been in jail since 23-09-2021 for 40 days.

Situated thus, accused Md. Abul Hussain is enlarged on bail of Rs. 20,000/- (Rupees Twenty Thousand) with one local surety of like amount I/D Jail to the satisfaction of the learned Elaka Magistrate.

Send back the case diary in seal cover.

Accordingly, Misc(Crl.) case disposed of.

  
Sessions Judge  
Sonitpur, Tezpur.

*Copy of order sent  
C.S. Rehman  
03/11/2021*