

**ORDER SHEET FOR MAGISTRATE'S RECORDS. Adv: A.Haque
DISTRICTS : SONITPUR**

IN THE COURT OF SESSIONS JUDGE, SONITPUR AT TEZPUR

MISC. (CRIMINAL (Bail) Case No. 626 of 2022

Rohima Khatun , Petitioner VS. STATE OF ASSAM.

Sl. No.	Date	<u>order</u>	Signature
	<u>13-12-22</u>	<p>This is an application u/s 439 Cr.P.C. filed by one Rohima Khatun, seeking bail for accused Faruk Hussain, who was arrested on 27-11-2022, in connection with Tezpur PS Case No. 1217/2022 u/s 366/34 IPC, corresponding to GR case No. 2255/22.</p> <p>I have heard the learned lawyers appearing for both sides. I have also gone through the contents of the case diary.</p> <p>Learned counsel appearing for the State Mr. Munin Chandra Baruah objected the bail prayer contending inter-alia that there is sufficient materials against accused in the case diary.</p> <p>On the other hand, learned counsel appearing for accused contended that the accused is wrongly framed u/s 366 IPC, Moreover, accused is a local and innocent person. Therefore, learned counsel for accused prays for bail.</p> <p>Having heard the learned lawyers appearing for both sides and on careful consideration of the case diary including the statement of the alleged victim girl recorded by Magistrate u/s 164 Cr.P.C., it transpires that the girl has love affairs with Ajjuil Islam and at her own will she</p>	

eloped with said Ajijul Islam on 14-11-2022 and went to a brick factory at Jagirod but accused left her there. However, after 11/12 days one Faruk handed over her to the police station.

On consideration of the fact of the case, it appears that the present accused did not kidnap the victim rather he helped her by handing over her in the police station. Therefore, considering the factual matrix of the case, this Court is of the considered view that this is a fit case to grant bail to accused.

In the result, accused Faruk Hussain is enlarged on bail in execution of a bond of Rs. 10,000/- (Rupees ten thousand) only with one local surety of like amount in default to jail to the satisfaction of learned Eleka Magistrate.

The bail application is accordingly stands disposed off.

Let the case diary be returned.

(C.B. Gogoi)
Sessions Judge,
Sonitpur, Tezpur

