

Misc. CrI. (Bail) case No. 444/2022

**Abdul Latif Ali
Vs
State of Assam**

16.09.2022

Petitioner filed hajira.

Today was fixed for C/D.

C/D received. Seen.

Brief fact of the case as stated in the FIR is that on 27-08-2022 at about 8 a.m while Smti. Lomu Sherpa, the daughter of the informant was going to school, the accused Anowar Hussain has forcefully eloped Lomu Sherpa with intent to cohabit with her illegally and to marry her.

Perused the C/D and the C.R. Heard Id. APP and Id. counsel for the petitioner.

The material on the C/R, reveal the direct involvement of the accused in the incident. Although the victim has stated that she willfully went with the accused, a minor consent is no consent in legal sense under such circumstance. It appears that the accused has eloped the victim without the consent of her parents. Apart from that, it appears that the victim denied to go with her parents after recording her statement u/s- 164 of Cr.P.C on 15-09-2022. Thus, it seems that the victim is still not free from the

influence from the accused side. As such, releasing the accused on bail at this stage may hamper and temper the investigation and the evidences. Hence, the B.P is rejected at this stage.

Send back the C/D.

This Misc. Crl. (Bail) case is disposed of.

Asstt. Sessions Judge
Sonitpur :Tezpur