

Misc.(Bail) Case No. 191 of 2021.

Present. Smt. T. Hussain

Addl. Sessions Judge, Biswanath Chariali

03.01.2022.

This Bail Petition filed for the accused Nilutpal Ahmed, u/s- 439 Cr.P.C in connection with Gohpur police station Case No. 377/2021, u/s- 420/366/153(A) IPC is taken up for further hearing as the called for case diary is received.

Heard the learned counsel appearing for the accused as well as learned Addl. P. P. and carefully perused the materials available in the case diary.

The Facts leading to filing of the instant bail petition u/s- 439 of Cr.P.C in brief are that on 20-12-2021 the informant lodged an ejahar alleging inter alia that the accused had developed love affair with her sister by falsely introducing himself as Hindu and thereby on 18-12-2021, the accused induced her said sister to elope with him.

Accordingly Gohpur police station Case No. 377/21, u/s- 420/366/153 (A) IPC was registered and investigation started.

It is submitted by the Ld. Counsel appearing for the accused person that the victim girl, who is adult has love affair with the accused and that the victim knowing it well that the accused is a Muslim, voluntarily went with him to get married to him.

Now on perusal on the statement of the victim recorded u/s 164 Cr.P.C, available in the case diary, it is found that she is aged about 21 years and she voluntarily went with the accused to get married and that the fact regarding the religion of the accused was within her knowledge.

Therefore, in view of the said statement of the victim, the accused person Nilutpal Ahmed is allowed to go on bail of Rs. 15,000/- with a suitable surety of like amount to the satisfaction of the learned Elaka Magistrate.

Send back the C/D.