

**Present: Shri C. B. Gogoi, Sessions Judge, Udalguri.**

Order

12-03-2020

This is an application U/S 438 Cr.P.C seeking pre arrest bail for accused Nantu Das in connection with Panery PS case No. 29/2019 U/S 366 IPC.


I have heard the learned lawyers appearing for the both sides, also carefully scanned the case diary.

The allegation in the FIR is that on 04-04-2019 one Smt. Phulkanti Harizan lodged an FIR in Panery PS alleging that on the same day at about 2 AM her daughter disappeared from the house. Though drastic search was made but her whereabouts is not known. However, informant doubted the involvement of one Nantu Das of kidnapping her.

Now, on perusal of the statement of the victim girl recorded by investigating officer it transpires that the victim eloped with accused Nantu Das as a result of affairs with him as her parents did not approve her relations with accused and planning to marry her with a boy of Bihar. So, she voluntarily eloped with the accused. The victim stated her age to be 18 years. The school certificate also shows that her date of birth is 18-10-2001. And the incident occurred on 08-08-2019. Though the victim appears to be minor on the date of alleged incident, nevertheless, she in her statement categorically stated that she voluntarily eloped with the accused. There was no such force, threat or inducement on the part of accused to go with him.

Therefore, considering all the attending facts and circumstances it is directed that in the event accused Nantu Das is arrested in connection with the aforesaid case, he shall be released on bail in execution of a bond of Rs. 15,000/- with a local surety of like amount to the satisfaction of IO.

The bail application is accordingly disposed off.

  
(C. B. Gogoi)

*Step is taken  
12/3/20*