

AB 1098/2011
BEFORE
THE HON BLE MR. JUSTICE BD AGARWAL

This application under Section 438 Cr.P.C. has been filed by accused/petitioner namely, Hafijul Islam @ Habijul Rahman @ Athta praying for bail, apprehending his arrest, in connection with Bagribari PS Case No. 21/11 (GR No.193/11) under Sections 366(A)/420/34 IPC.

Heard Mr. R. Ali, learned counsel for the petitioner and Mr. B.S. Sinha, learned Addl. PP, Assam.

Perused the case diary.

Although the victim was a minor one, she herself stated in her statement recorded under Section 164 Cr.P.C. that she has voluntarily eloped with the accused due to their friendship and agreed to marry the accused. Not only that the victim girl also stated that even after her recovery, she again accompanied the accused on a pleasure trip.

Considering all aspects of the matter, the custodial interrogation of the petitioner may not be required. Accordingly, the prayer for bail is accepted. The I.O. is directed to release the petitioner on bail, in the event of his arrest, in connection with the aforesaid PS case on furnishing bail bond of Rs. 10,000/- with one local surety of the like amount to his satisfaction.

The petitioner is directed to appear before the I.O. within one week from to-day and shall co-operate in the investigation.

With the aforesaid directions, this bail application stands disposed of.