

AB 1880/2013

PRESENT

HON'BLE MR JUSTICE A. C. UPADHYAY

This is an application under Section 438 of the CrPC seeking pre-arrest bail on behalf of petitioner Dhruba Loson Nath in connection with Golaghat PS case no. 208/2013 under section 366 of the IPC.

Heard Mr A Roshid, learned counsel for the petitioner and Mr B S Sinha learned Additional Public Prosecutor.

Miss Chimpny Sarma, the daughter of the first-informant has been kidnapped by the petitioner, the FIR suggests.

On perusal of the statement of the victim (under section 164 of the CrPC) it appears that she fled home with the petitioner of her own volition.

Considering above and also considering the facts and circumstances leading to filing of the FIR I am of the view that the petitioner can be extended the privilege of pre-arrest bail in connection with this case and his release will not adversely affect further investigation of the case, and accordingly it is provided that in the event of his arrest in connection with this case, he will be released on bail of Rs 10,000/- with one surety of like amount to the satisfaction of the arresting authority on condition that he will appear before investigating officer as and when required and will cooperate with the investigation of the case. With the above observation and direction the bail application is disposed of.