

AB 308/2017
BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

Heard Mr. S.M.Mollah, learned counsel for the petitioner as well as Mr. T. Mishra, learned Addl. P.P. Assam.

By filing this application under Section 438 Cr.P.C., apprehending arrest, the accused petitioner, Jiyadul Islam is seeking pre-arrest bail in connection with Chandmari Police Station Case No.769/2016 registered U/S 366 IPC.

Perused the case diary as well as the statement of the victim girl.

The informant being the husband of the victim woman lodged FIR that his wife /victim Mamoni Begum @ Monima Begum has been kidnapped by the accused petitioner but the said victim woman in her statement fairly submits that she went with the accused petitioner out of his free will and there is no part of the accused petitioner for her abduction.

Obviously, custodial interrogation of the accused petitioner is not required.

Considering the entirety of the matter, this court is inclined to grant privilege of pre-arrest bail to the petitioner. Accordingly, he is allowed to go on bail, in the event of his arrest, in connection with the aforesaid police case on furnishing bail bond of Rs.10,000/- with a surety of like amount to the satisfaction of the arresting authority.

With the above directions Anticipatory Bail Application stands disposed of.

Return the case diary.