

AB 371/2017

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

Heard learned counsel for the petitioner.

This is an application u/s 438 of Cr.P.C. for granting pre-arrest bail to the accused-petitioner in connection with Murajhar P.S. Case No. 245/2016, u/s 366(A)/34 of the I.P.C.

Perused the CD as well as the statement of the victim u/s 164 Cr.P.C

Although, as per the F.I.R., the victim girl was forcefully taken away by the accused-petitioner but in her statement she has specifically stated that she herself elope with the accused-petitioner due to love and affection and resided with him for four days and after the filing of the F.I.R., she herself surrender before the PS.

The victim girl is more than 17 years of age and has sufficient maturity.

In view of the matter on record, custodial detention of the accused person is not required.

Accordingly accused-petitioner is allowed to go on pre-arrest bail of Rs. 10,000/- in the event of his arrest with a direction to appear before the I.O. within 15 days to co-operate with the investigation.