GAHC010173702020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./2701/2020

GANGA BAHADUR CHETRI
S/O SRI LAL BAHADUR CHETRI, VILL-REWA MAHESWAR, P.S.-KHETRI,
DIST-KAMRUP(M), ASSAM, PIN-782403

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE RUMI KUMARI PHUKAN

ORDER

17-12-2020

By this application under **Section 439 Cr.P.C.**, the accused-petitioner, namely, **Ganga Bahadur Chetri** has sought for bail in connection with **Sonapur Police Station Case No. 399/2020**, registered **under Section 366 IPC.**

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, appearing for the State. Also perused the materials on record and the case diary.

As per the allegation made in the FIR that the accused kidnapped the daughter of the informant but in her statement she has stated that in fact she was in love with the accused person and she insisted him to take her otherwise she will commit suicide. As a result of which the accused took her with him. The victim has sufficient majority as she is 15 years old and she did not say anything as alleged in the FIR.

The accused is behind the bar since 11.10.2020. Having regard to the materials on record and the length of detention and the factum of recovery etc. it can be inferred that release of accused at this stage will not hamper the investigation. Accordingly, the accused petitioner is hereby allowed to go on bail in connection with the case aforementioned on furnishing bail bond of **Rs.20,000/-** with **one suitable surety** of the like amount, to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

In terms of the above, this bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant