09.12.2020

The learned counsel for the petitioner is present.

This is an application u/s 439 of the Cr.P.C with a prayer to grant bail to accused Hamidul Hoque who has been detained in connection with Lakhipur P.S. Case No.543/2020 corresponding to G.R. Case No.2130/2020 u/s 448/417/376 of the IPC.

I have heard both the sides and also perused the case diary from which it is found that there was a love affair between the accused and the victim and there was sexual relationship between them but subsequently, the accused refused to marry the victim for which she filed this case.

The case diary reveals that the victim and a number of other witnesses have been examined by the Investigating Officer during the investigation of this case and considering all the facts and circumstances as well as the progress of the investsigation that has been made so far, the fact that the learned Public Prosecutor did not raise any objections, the present situation arising out of the COVID-19 Pandemic etc, I am of the opinion that further detention of the said accused in custody will not be justified and as such, he is now allowed to go on bail of Rs.25,000/- (Rupees twenty five thousand) only with a solvent surety of the like amount to the satisfaction of the learned Elaka Magistrate concerned subject to the conditions that the accused shall not hamper or tamper with the investigation of the case in any manner nor he shall make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the lawfu authorities and further, the said accused shall also not indulge in any illegal or unlawful activities while on bail.

Send back the case diary with a copy of this order.

A copy of this order shall be furnished to the petitioner or her learned counsel forthwith by the Bench Asstt./Court Master under his signature and this order shall also be uploaded in the official website of the District Judiciary, Goalpara.

Inform all concerned accordingly.

This Misc. Case is thus disposed of.

Sessions Judge
Goalpara