

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 3064 of 2023

Applicant :- Sundar @ Chauke

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Ashish Singh

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. No one appears for the informant despite notice.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The accused-applicant seeks bail in Case Crime No.445 of 2022 under section 377, 506 IPC and 5m/6 POCSO Act, P.S. Medical District Meerut.
4. The FIR in question was lodged alleging that the son of the informant was taken by the applicant and the offence under section 377 IPC was done. The medical report on record does not corroborate the commission of the offence although the statement of the victim on record, however the same is also not corroborated with the medical report, the applicant is in jail since 15.11.2022 and has no criminal history.
5. Considering the fact that the averments are not corroborated with the medical report and there is nothing on record to demonstrate that the applicant if enlarged on bail can adversely affect the trial, the applicant is entitled for the bail. Thus the bail application is allowed.
6. Let the applicant **Sundar @ Chauke** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties of Rs.25000/- (Twenty Five Thousand) each of the like amount to the satisfaction of the court concerned with the following conditions:
 - (a) The applicant shall execute a bond to undertake to attend the hearings;
 - (b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and
 - (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 6.11.2023

VNP/-