

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 19025 of 2023

Applicant :- Vikas Vanshkar

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

Counsel for Applicant :- Om Prakash

Counsel for Opposite Party :- G.A., Shailendra Singh

Hon'ble Umesh Chandra Sharma, J.

1. Supplementary affidavit filed on behalf of applicant is taken on record.
2. Heard Sri Om Prakash, learned counsel for the applicant; learned AGA for the State; Sri Manoj Kumar holding brief on behalf of Sri Shailendra Singh, learned counsel for the informant and perused the record.
3. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.488 of 2022, under Sections 354-B & 506 IPC and Section 9m/10 POCSO Act, Police Station Kotwali, District Jhansi, during the pendency of trial.
4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case on account of neighborhood. It is further contended that the injuries are quite simple in nature to the victim. No sexual assault has been committed to the victim. Learned counsel for the applicant further contends that there is no previous criminal antecedents against the accused. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 15.12.2022. In case the applicant is released on bail, he will not misuse the said liberty.
5. Learned AGA has opposed the prayer for bail and submits that in this case all the ingredients of the alleged offence have been completed but could not satisfactorily dispute the aforesaid submissions from the record.
6. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail.

Accordingly, the bail application is allowed.

7. Let the applicant - **Vikas Vanshkar**, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 16.11.2023

I.A.Siddiqui