

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 33470 of 2023

Applicant :- Babloo

Opposite Party :- State of U.P.

Counsel for Applicant :- Lavkush Kumar Bhatt

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.

2. As per prosecution case an FIR was lodged by the informant against the applicant regarding disappearance of her daughter.

3. Learned counsel for the applicant submits that although the applicant was named in the first information report but the victim in her statements recorded under Sections 161 and 164 Cr.P.C. has not supported the prosecution case and specifically stated that she had left her parental home on her own accord. He next submits that the applicant is absolutely innocent and has been falsely implicated in the present case due to some ulterior motive. It is further submitted that applicant has no criminal antecedent except the present one and he is in jail since 30.6.2023.

3. Learned AGA has opposed the bail application.

4. Considering the statements of the victim recorded under sections 161 and 164 Cr.P.C., this court is of the view that the applicant is entitled to be enlarged on bail. In view thereof, the application is allowed.

5. Let the applicant **Babloo** be released on bail in FIR No. 215 of 2023, under Sections 363, 366 and 506 I.P.C., P.S. Kamalganj, district-Farrukhabad, on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of 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 :- 9.11.2023

Faridul