

Court No. - 48

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43832 of 2023

Applicant :- Karan Kashyap

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

Counsel for Applicant :- Krishna Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Shyam Shamshery,J.

1. Heard Sri K.K. Shukla, learned counsel for applicant and learned AGA for State.

2. This is second bail application filed by applicant-Karan Kashyap in Case Crime No. 305 of 2022, under Sections 363, 366, 376(3), 376(2)N IPC and 4(2), 5/6 POCSO Act, Police Station Quila, District Bareilly. First bail application for applicant was disposed of vide order dated 12.04.2023 by giving following reasons:

"8. In the present case, from the facts referred above, victim is a minor girl according to her educational documents. Allegations against applicant are that they went together to other places where applicant made physical relationship with victim against her will as well as applicant is prior acquainted with victim and therefore, in case bail is granted to applicant, he may try to influence the victim.

9. In these circumstances, prayers made in this bail application are rejected.

10. Bail application is disposed of with direction to the learned Trial Court to record the statement of victim within a period of three months from today and thereafter the applicant will be at liberty to file a fresh bail application before learned Trial Court."

3. In pursuance of this Court's order dated 16.10.2023, Trial Court has submitted report that out of nine proposed

prosecution witnesses one has already been examined and trial would be concluded within six months.

4. Learned counsel for applicant is not able to contradict that victim has supported case of prosecution, therefore, I do not find any reason to allow this second bail application.

5. The application is accordingly rejected. However, Trial Court is directed to conclude trial within six months from today, if there is no legal impediment.

Order Date :- 13.12.2023

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