

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45897 of 2023

Applicant :- Laddan @ Suheb

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

Counsel for Applicant :- Shiv Prakash

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA; Shri L.K. Bhatt, learned counsel for the informant and perused the record.

2. The FIR in question was lodged alleging that the offence under Section 377 IPC was committed on the son of the informant aged about 6 years. Counsel for the applicant draws my attention to the medical report which does not indicate any injury on the body of the victim. He also draws my attention to the affidavits given by the informant stating that the FIR in question was lodged on account of they being by the villagers.

3. Learned AGA has opposed the bail application.

4. Considering the aforesaid affidavits as well as the medical report on record coupled with the fact that the applicant has no criminal antecedent, the applicant who is in custody since 31.05.2023, is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

5. Let the applicant **Laddan @ Suheb** be released on bail in FIR No.190 of 2023, under Section 377 IPC & Section 5m/6 of POCSO Act, P.S. Pakbada, District Moradabad 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 :- 31.10.2023

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