

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46027 of 2023

Applicant :- Prateek Verma

Opposite Party :- State of U.P.

Counsel for Applicant :- Raghubir Singh

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot,J.

By means of the the bail application the applicant has prayed to be enlarged on bail in Case Crime No. 139 of 2023 at Police Station- Chhatta, District- Agra, under Sections 376, 323, 313, 506, 307, 377 IPC. The applicant is in jail since 18.09.2023.

The bail application of the applicant was rejected by the learned trial court on 06.10.2023.

The following arguments made by Sri Raghubir Singh, learned counsel on behalf of the applicant, which could not be satisfactorily refuted by Shri Chandan Agarwal, learned AGA from the record, entitle the applicant for grant of bail:

1. The victim and the applicant were intimate.
2. The victim and the applicant were intimate and they had established consensual physical relationship.
3. The applicant never gave a plighted word to marry the victim.
4. The FIR was lodged only to extort money from the applicant.
5. The victim has other love interest. She became an expectant mother as a result of the aforesaid union. The applicant was

neither responsible for the pregnancy nor did he force the victim to abort the unborn fetus.

6. Learned counsel for the applicant contends that the applicant does not have any criminal history apart from the instant case.

7. The applicant is not a flight risk. The applicant being a law abiding citizen has always cooperated with the investigation and undertakes to cooperate with the court proceedings. There is no possibility of his influencing witnesses, tampering with the evidence or reoffending.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant- Prateek Verma be released on bail in the aforesaid case crime number, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below. The following conditions be imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence or influence any witness during the trial.

(ii) The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

Order Date :- 7.11.2023

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