

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13382 of 2022

Applicant :- Vishnu Pratap Singh

Opposite Party :- State Of U.P. Thru. Secy. Deptt. Home, Lko. And 3 Others

Counsel for Applicant :- Ravindra Shukla,Dileep Kumar Tiwari,Md.Khurshed Ahmad

Counsel for Opposite Party :- G.A.,Raj Kumar Mishra

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Dileep Kumar Tiwari, the learned counsel for the applicant, Sri Anant Pratap Singh, the learned A.G.A. for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 0224 of 2022, under Sections 294/354 (ka)/504/506 I.P.C. and Section 7/8 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station Musafirkhana, District Amethi.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 21.08.2022 alleging that the informant's niece studies in a school in which the applicant is a Principal and the applicant talked to the victim in an obscene manner and molested her.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.
5. The State has filed a counter affidavit annexing therewith the copies of the materials collected during investigation, including the statements of the witnesses.

6. A supplementary affidavit has been filed on behalf of the applicant annexing therewith the copies of the statements of the victim and the informant recorded by learned trial court.

7. The learned counsel for the applicant has submitted that there are material discrepancies in the version of the incident and in various statements recorded.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the offence alleged carries a maximum punishment of imprisonment up to five years and the applicant is languishing in jail since 22.08.2022 and the statement of the victim and the informant having been recorded, in case of his release the applicant will not be in a position to influence the witnesses and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

9. Accordingly, this bail application stands **allowed**.

10. Let the **applicant-Vishnu Pratap Singh** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 3.11.2023
Ram.