

Court No. - 16

Case :- CRIMINAL MISC. BAIL CANCELLATION
APPLICATION No. - 112 of 2023

Applicant :- Seema Devi

Opposite Party :- State Of U.P. Thru. Secy. Home, Lucknow
And Another

Counsel for Applicant :- Shailendra Kumar Misra, Anurag
Narain Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Shri Shailendra Kumar Misra, learned counsel for the applicant and Smt. Parul Kant, learned AGA.
2. By means of the instant application, the applicant is seeking cancellation of order dated 06.10.2023 passed the Special Judge, POCSO, Lakhimpur Kheri, whereby the opposite party no.2 has been granted bail.
3. The learned counsel for the applicant has submitted that the opposite party no.2 has been granted bail without taking into consideration the fact that from the statement of the victim recorded under Section 164 Cr.P.C., the commission of offence under Section 376 IPC was prima facie established.
4. The Court has taken into consideration the allegations against the opposite party no.2 and has passed the order after taking into consideration the relevant facts. Moreover, an application for cancellation of bail is not in the nature of an appeal filed against the order granting bail. No ground has been made out seeking cancellation of order.
5. The application is rejected.

Order Date :- 19.10.2023

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