

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12513 of 2023

Applicant :- Shivam Lodh

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

Counsel for Applicant :- Neelu Singh Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms. Neelu Singh Chauhan, the learned counsel for the applicant, Sri Akhilesh Vyas, the learned A.G.A.-I 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. 257 of 2023, under Sections 363, 366, 323 IPC., Police Station Fatehpur Chaurasi, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 15.08.2023 alleging that the applicant had enticed away the informant's daughter.
4. In the statement of the victim recorded under Section 161 Cr.p.C., she stated that the applicant and the other co-accused had taken her away on a motorcycle on the pretext that her father was calling her. The applicant was taking her towards Safipur but on the way her mother started calling her and thereafter the applicant dropped her on the way. She categorically stated that the applicant did not commit any misdeed against her.
5. In the affidavit filed in support of the application it has been stated that the applicant is innocent and he has been falsely implicated in the present case.
6. A supplementary affidavit has been filed stating that the applicant's date of birth is 01.01.2002 and he is aged about 21 years.
7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
8. Having considered the aforesaid facts and circumstances of

the case and keeping in view the fact that the victim returned the same day, she stated that the applicant did not commit any misdeed against her and the applicant is a young man aged about 21 years and coupled with the fact that the applicant has no previous criminal history and he is languishing in jail since 18.08.2023 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 applicants on bail in the aforesaid crime.

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

10. Let the applicant-***Shivam Lodh*** be released on bail in Case Crime No. 257 of 2023, under Sections 363, 366, 323 IPC., Police Station Fatehpur Chaurasi, District Unnao 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.

Order Date :- 30.10.2023

Pradeep/-