

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13474 of 2023

Applicant :- Farooque Khan

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

Counsel for Applicant :- Neeraj Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Neeraj Singh, the learned counsel for the applicant as well as Sri Amitabh Chaturvedi, the learned Additional Government Advocate appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No. 91 of 2023, under Sections 363, 366 IPC, Police Station Sohramau, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 26.06.2023 alleging that the applicant had enticed away the informant's daughter aged about 18 years.
4. In the statement of the victim recorded under Section 161 Cr.P.C., she stated that she is aged 19 years, she loves the applicant and she had gone with the applicant out of her own free will and that she had married the applicant.
5. A similar statement was given by the victim before the Magistrate where she categorically stated that no misdeed has been committed against her and that she had married the applicant.
6. In the affidavit filed in support of the application it has been stated that the applicant is innocent, he has falsely been implicated in the present case and that he has no criminal history.
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 applicant is a young man aged 22 years having no criminal history 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 case.

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

10. Let the applicant-***Farooque Khan*** 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.

Order Date :- 9.11.2023

Pradeep/-