

**Court No. - 29**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 14108 of 2023

**Applicant :-** Dheeraj Yadav

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

**Counsel for Applicant :-** Ashok Kumar Srivastava, Avinash Srivastava

**Counsel for Opposite Party :-** G.A.

**Hon'ble Mrs. Sadhna Rani (Thakur),J.**

Heard learned Counsel for the applicant, learned A.G.A. and perused the record.

The accused- applicant is involved in Case Crime No. 163 of 2023, under Sections 363, 366-A, 506 I.P.C., Police Station Raniganj, District- Pratapgarh.

It is argued by the learned counsel for the applicant that the main accused is Bhanu Pratap Singh with whom the alleged victim was in relationship. In the medical report, the age of the victim is found approximate 18 years. In her statement the victim has disclosed herself to be 17 years old. In the statement u/s 161 Cr.P.C. of the victim the role of the applicant is only that the rupees transferred in his account by Bhanu Pratap Singh were handed over by him to the alleged victim. In her statement under section 164 Cr.P.C. the role assigned to the present applicant is to carry the alleged victim on the motorcycle and molest her and again it is alleged that it was Dheeraj the present applicant through whom the victim used to communicate to the main accused Bhanu Pratap Singh. It is alleged that Dheeraj snatched her mobile and destroyed the SIM and gave back the mobile to her wherein the photographs and videos were preserved.

Learned A.G.A. opposed the prayer for bail of the applicant,

From the perusal of the record, it appears that the present applicant acted as a mediator between the main accused Bhanu Pratap Singh and the alleged victim. The applicant is languishing in jail since 28.6.2023. There is no criminal history to the credit of the applicant.

Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the

learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a case of bail.

The bail application is allowed.

Let the applicant Dheeraj Yadav who is involved in aforesaid crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the dates fixed after release.
2. He will not tamper with the witnesses.
3. He will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the trial court shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

**Order Date :- 30.11.2023**

Gss