

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14209 of 2023

Applicant :- Satyam

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Civil Sectt. Lko.

Counsel for Applicant :- Atul Kumar Singh Gaur, Sushil Prakash Pandey, Vikram Kumar Dutt

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Atul Kumar Singh as well as Sri G.D. Bhatt, learned A.G.A.-1 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. 274 of 2023, under Sections 366, 376, 504, 506 I.P.C., registered at Police Station- Loni Katra, District- Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 19.09.2023 against six persons, including the applicant, stating that the alleged victim/informant was in relationship with the applicant, he took her with him on 30.05.2023, kept her with him for two days and forcibly committed misdeed with her. Thereafter, it was agreed between the family of the informant and the applicant that the applicant would get married with the informant and the marriage between them was carried out in the presence of relatives from both sides.
4. In the affidavit filed in support of bail application it has been stated that the applicant is 20 years old, he is innocent, he has been falsely implicated in the present case and he has no criminal history.

5. The learned A.G.A.-1 has vehemently opposed the prayer for bail and submitted that although the marriage was solemnized on 05.06.2023, the informant has not been taken to her matrimonial home.

6. Having considered the aforesaid facts and circumstances of the case, prima-facie the dispute between the parties appears to be matrimonial in nature and no proceedings for enforcement of any conjugal rights has been enforced by the informant. Keeping in view the aforesaid facts, coupled with the fact that the applicant is a young man of 20 years and has no previous criminal history and he is languishing in jail since 06.10.2023 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 applicant on bail in the aforesaid crime.

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

8. Let the applicant- Satyam 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 :- 4.12.2023

Manoj K.