

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14601 of 2023

Applicant :- Abhay Singh @ Aman Singh

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home, Govt. U.P.
Lucknow And 3 Others

Counsel for Applicant :- Dinesh Kumar Verma, Sharad Kumar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Dinesh Kumar Verma, the learned counsel for the applicant as well as Sri Manish Kumar Pandey, the learned A.G.A.-I for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 285 of 2023, under Section 363, 366, 354Ka I.P.C. and Section 7/8 of Protection of Children from Sexual Offences Act, registered at Police Station Kotwali Sadar, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 30.03.2023 alleging that the applicant had enticed away the informant's minor daughter.
4. In the statement of the victim recorded under Section 161 Cr.P.C, she stated that she had gone with the applicant to Sitapur by bus, both of them sat together talked for some time and thereafter she came back with the applicant's friend on a motorcycle.
5. In the medico legal examination report of the victim, no injury or sign of use of force has been reported.
6. In the statement of the victim recorded under Section 164 Cr.P.C, she varied her statement but even in this statement, she merely stated that the applicant had caught hold of her hand and she got herself freed and escaped.
7. In the affidavit filed in support of the bail application, it has been stated that

the applicant is young man having no criminal history and he has been falsely implicated in the present case.

8. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

9. Having considered the aforesaid facts and circumstances of the case and without making any observations 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.

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

11. Let the **applicant- Abhay Singh @ Aman Singh** 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 the 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 :- 14.12.2023

Preeti.