

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14628 of 2023

Applicant :- Manjesh

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And 3 Others

Counsel for Applicant :- Sanjay Singh Chauhan, Alok Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sanjay Singh, the learned counsel for the applicant, Sri Manish Kumar Pandey, 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. 325 of 2023, under Sections 363, 366A, 368, 506 I.P.C. read with Section 17/18 of POCSO Act and Section 3/5(1) of U.P. Prohibition of Unlawful Conversion of Religion Act, registered at Police Station Pasgawan, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 05.10.2023 against three persons, not including the applicant, alleging that one of the named accused persons had enticed away the informant's daughter aged 18 years and the other two named accused persons had helped him. The victim was recovered from a vehicle on 07.10.2023 along with the named accused persons. The applicant had also been implicated in the case because he was the driver of the vehicle. In the statement of the victim recorded under Section 161 and 164 CrPC, she had not leveled any allegation against the applicant.

4. 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 and he has no criminal history. It has further been stated that the applicant's vehicle had been hired by the other accused persons and he has no other concern with the accused persons.

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

6. Having considered the aforesaid facts and circumstances of the case, I am of the view that the applicant is entitled to be released on bail.

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

8. Let the **applicant- Manjesh** 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 :- 13.12.2023

Raj