

BAI No. 503 of 2018

**Hon'ble Lok Pal Singh, J.**

Mr. Shubher Rastogi, Advocate for the applicant.

Mr. P.S. Bohra, A.G.A. for the State.

Heard learned counsel for the parties.

Applicant- Yogesh, who is in jail in Case Crime No. 389 of 2017 under Sections 363, 366, 376 of IPC and 5/6 of Protection of Children from Sexual Offence Act, registered at Police Station Rishikesh, District Dehradun has sought his release on bail.

The FIR was lodged by the complainant that his minor daughter is aged about 17 years, has been enticed and abducted by the applicant. It is further mentioned that the applicant has already married and is having children. The statement of the prosecutrix under Section 161 Cr.P.C., in which she alleged that she knows the applicant for last seven months and was in love with him. The statement of the victim was recorded under Section 164 Cr.P.C. in which she alleged that applicant performed marriage with her and make physical relations.

Learned counsel for the applicant would further submit that the applicant has been falsely implicated and has not criminal history.

Considering the submission of learned counsel for the applicant and without expressing any opinion as to final merits of the case, this Court is of the view that applicant deserves bail.

The bail application is allowed accordingly.

Let the applicant be released on bail on executing a personal bond and furnishing two reliable sureties each of the like amount to the satisfaction of the Court concerned.

**(Lok Pal Singh, J.)**

31.07.2018