

Court No. - 72

**Case :- CRIMINAL MISC. BAIL APPLICATION No. - 52614
of 2019**

Applicant :- Surendra

Opposite Party :- State of U.P.

Counsel for Applicant :- Narendra Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Siddharth,J.

Heard learned counsel for the applicant and learned A.G.A. for the State and perused the record.

The submission is that it is a case of false implication. The victim has been examined before the trial court. She has not made any allegation against the applicant in this case. The applicant is in jail since 17.01.2019 and has no criminal history to his credit.

Learned A.G.A. opposed the prayer for bail but could not dispute the aforesaid facts as argued by learned counsel for the applicant.

After considering the rival submissions noted hereinabove, larger mandate of Article 21 of the Constitution of India and the material brought on record and without expressing any opinion on the merits of the case and considering the facts and circumstances of the case, I am of the opinion that the applicant is entitled to be released on bail.

Let the applicant- **Surendra**, be released on bail in Case Crime No. 25 of 2019, under Sections- 363, 366, 376, 506 IPC and Section 3/4 of POCSO Act, Police Station- Kotwali, District- Mainpuri, be released on bail on his furnishing a personal bond with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice :-

1. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.

2. The applicant shall cooperate in the trial sincerely without seeking any adjournment.

3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

In case of breach of any of the above conditions, it shall be a ground for cancellation of bail. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

Order Date :- 29.11.2019

Rohit