

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>BAI No.2977 of 2021</p> <p><u>Hon'ble R.C. Khulbe, J.</u></p> <p>Mr. Vipul Sharma, learned counsel for the applicant.</p> <p>Mr. Amit Bhatt, learned DAG for the State.</p> <p>Accused–Mohd. Aziz @ Hafiz has sought his release on bail in connection with Case Crime/FIR No.180/2021, u/s 376 (3) IPC and u/s 5(m)/6 of POCSO Act, registered at P.S. Banbhulpura, District Nainital.</p> <p>It is argued that the accused has been falsely implicated; he is languishing in jail since 02.06.2021; there is no evidence against him; apart from that, the statement of prosecutrix has been recorded; she did not support the prosecution's story; he is ready to furnish the sureties and may be granted bail.</p> <p>Per contra, learned counsel for the State opposed for bail but fairly submitted that the prosecutrix, who appeared as PW1 before the trial court, did not support the prosecution's story.</p> <p>I have also gone through the statement of PW1 (prosecutrix) and found that she did not make any allegation against the accused; she clearly stated that the accused did not commit any sexual offence with her; accordingly, without making any comment on the merits, it is a fit case for bail at this stage.</p> <p>The bail application is thus, allowed and the applicant is directed to be released on bail on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the Court concerned.</p> <p>Pending application, if any, stands disposed of.</p> <p style="text-align: right;">(R.C. Khulbe, J.) 30.11.2021</p> <p>BS</p>