

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No.1000 of 2023

Sumeri @ Abhay S/o Paati Ram Applicant

Vs.

State of Uttarakhand Respondent

Mr. M. K. Ray, learned counsel for the applicant.

Mr. G.S. Sandhu, learned Government Advocate assisted by Mr. Kuldeep Rawal, learned A.G.A. for the State of Uttarakhand.

Hon'ble Vivek Bharti Sharma, J. (Oral)

Applicant Sumeri @ Abhay, who is in judicial custody in F.I.R. No. 724 of 2020, under Sections 363, 366, 376 (3) of IPC and Under Sections 5 (a)/6 of POCSO Act, Police Station Rudrapur, District Udham Singh Nagar, has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. Learned counsel for the applicant would submit that the prosecutrix has not supported the case of the prosecution in her statement recorded before the learned Lower Court. He would further submit that even the complainant i.e. the father of the prosecutrix has also not supported the case of the prosecution.

4. Learned A.G.A for the State does not deny this fact.

5. Having considered the entirety of facts, this Court is of the view that the applicant deserves to be enlarged on bail.

6. The bail application is, accordingly, allowed. Let the applicant 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.

(Vivek Bharti Sharma, J.)

28.04.2023

BS