
(2023) 04 UK CK 0078

Uttarakhand High Court

Case No: First Bail Application No. 1000 Of 2023

Sumeri @ Abhay S/o
Paati Ram

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: April 28, 2023

Acts Referred:

- Indian Penal Code, 1860 - Section 363, 366, 376(3)
- Protection Of Children From Sexual Offences Act, 2012 - 5, 6

Hon'ble Judges: Vivek Bharti Sharma, J

Bench: Single Bench

Advocate: M. K. Ray, G.S. Sandhu, Kuldeep Rawal

Final Decision: Allowed

Judgement

Vivek Bharti Sharma, J

1. 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

()/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 prsecuturix 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.