

**(2024) 10 UK CK 0095**

**Uttarakhand High Court**

**Case No:** First Bail Application No. 1921 Of 2024

Himanshu

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

**Date of Decision:** Oct. 21, 2024

**Acts Referred:**

- Indian Penal Code, 1860 - Section 363, 376(2)(n)
- Protection Of Children From Sexual Offences Act, 2012 - Section 3(a), 4, 5(l), 6
- Code Of Criminal Procedure, 1973 - Section 164

**Hon'ble Judges:** Ravindra Maithani, J

**Bench:** Single Bench

**Advocate:** Abhishek Verma, Arjun Arora, Aishwarya Thapliyal, Manisha Rana Singh

**Final Decision:** Allowed

**Judgement**

Ravindra Maithani, J

1. Applicant is in judicial custody in Case Crime No.507 of 2024, under Sections 363, 376(2)(n) IPC and Section 3(a)/4 and 5(l)/6 of the Protection of

Children from Sexual Offences Act, 2012, Police Station- Kotwali Jwalapur, District- Haridwar. He has sought his release on bail.

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

3. According to the FIR, the applicant enticed the victim, a young girl, and took her along with him.

4. Learned counsel for the applicant would submit that the victim has been examined under Section 164 of the Code of Criminal Procedure, 1973. In

her statement, the victim has not stated anything against the applicant. According to her, she and the applicant were in relationship. They are married,

but they have yet not established any physical relations. Therefore, it is a case fit for bail.

5. These factual aspects have not been denied by learned State Counsel.

6. Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

7. The bail application is allowed.

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