
(2025) 02 UK CK 0041

Uttarakhand High Court

Case No: First Bail Application No. 2230 Of 2024

Anil Alias Sanju

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Feb. 14, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 363, 366A, 376(1)
- Protection Of The Children From Sexual Offences Act, 2012 - Section 3, 4

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: Digvijay Singh Bisht, Manisha Rana Singh

Final Decision: Allowed

Judgement

Ravindra Maithani, J

1. Applicant is in judicial custody in Special Sessions Trial No. 17 of 2023, in FIR No. 04 of 2023, under Sections 363, 366A, 376 (1) IPC and Section

3/4 of the Protection of Children From Sexual Offences Act, 2012, Police Station Lambgaon, District Tehri Garhwal. He has sought his release on

bail.

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

3. According to the FIR, the victim, a young girl left her home on 05.03.2023 at 8:00 in the morning, but she did not return.

4. Learned counsel for the applicant would submit that the victim has already been examined at trial, but she has not supported the prosecution case.

5. Learned State counsel would submit that though the victim has admitted that she was in relationship with the applicant; she has not supported the entire prosecution case, but she would submit that the forensic report confirms that the physical relations were established between the applicant and the victim.

6. It is the stage of bail. Much of the discussion is not expected of. Arguments are being appreciated with the caveat that any observation made in this order shall have no bearing at any subsequent stage of the trial or in any other proceedings.

7. PW2, the victim has already been examined at trial. She has admitted that she was in romantic relationship with the applicant. They shared messages and ultimately, she joined the company of the applicant and visited various places. Thereafter, she did not support the prosecution case.

8. 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.

9. The bail application is allowed.

10. 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.