

**Court No. - 65**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 40857 of 2024

**Applicant :-** Amit Kumar

**Opposite Party :-** State Of Up 3 Others

**Counsel for Applicant :-** Mohd. Shahibe Alam

**Counsel for Opposite Party :-** Durga Singh,G.A.,Shivangi Bhargava

**Hon'ble Krishan Pahal,J.**

1. Heard Mohd. Shahibe Alam, learned counsel for the applicant, Sri Durga Singh, learned counsel for the informant, Ms. Shivangi Bhargava, learned counsel for the opposite no.3, Sri Rajendra Prasad Singh, learned State Law Officer for the State and perused the record.
2. Applicant seeks bail in Case Crime No.205 of 2024, under Sections 376(2), 506 I.P.C. and 5/6 POCSO Act, Police Station-Manda, District- Prayagraj, during the pendency of trial.
3. At present, victim is living in the Nari Niketan, Prayagraj and victim by her looks seems to be major, aged about 16 years. Victim has given birth to a baby girl as is admitted by both the parties. In the interest of justice, the applicant who is on trial is enlarged on interim bail for a period of three months.
4. Learned counsel for the informant, on instructions, submits that the victim is ready to marry the applicant.
5. Learned State Law Officer has no objection in case the applicant is released on interim bail for a period of three months.
6. Since both the parties are ready to marry each other, let the parties appear before the Registrar Marriage Registration, Prayagraj within a period of three months.
7. Let the applicant- **Amit Kumar** involved in the aforesaid case crime be released on interim bail for a period of three months from today subject to the consent given by both the sides with regards to marriage and on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

- i. The applicant will not tamper with the evidence during the trial.
- ii. The applicant will not pressurize/intimidate the prosecution witness.
- iii. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted and/or the applicant shall make himself available for interrogation by a police officer as and when required.
- iv. The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
- v. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- vi. The applicant shall not leave India without the previous permission of the Court.
- vii. In the event, the applicant changes residential address, the applicant shall inform the court concerned about new residential address in writing.

8. The certificate of marriage shall be filed on or before the next date. In the event the marriage does not take place then the applicant will surrender before the court concerned on or before 12.05.2025 and file the surrender certificate before this Court on the next date. The applicant need not surrender in the event the marriage is registered.

9. The order is passed with the consent of both the parties.

10. List this case on **19.05.2025** in the additional cause list.

**Order Date :- 13.2.2025**

Priya

**(Justice Krishan Pahal)**