

Court No. - 12

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 315 of 2021

Applicant :- Anwar Ali

Opposite Party :- State Of U.P. And Anr.

Counsel for Applicant :- Sharvan Kumar Pandey

Counsel for Opposite Party :- G.A.,I. U. Ahmad,Messesa
Shaikh,Praveen Kumar Yadav,Shivanshu Goswami

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel for the applicant, learned A.G.A. and perused the record.
2. The present application under Section 439 Cr.P.C. has been filed seeking bail in Case Crime No.182 of 2020, under Sections 363, 366, 376 IPC, Section 3/5 POCSO Act, Police Station Mahrua, District Ambedkar Nagar.
3. Accused-applicant is a married man. He practices Muslim religion. He introduced himself through social media to the prosecutrix as 'Raj'. He got the prosecutrix entangled in his false love web. He enticed away the prosecutrix, aged around 13 years, on 13.3.2007. However, the medical age of the prosecutrix has been determined to be 16-17 years. Even as per the educational testimonials, age of the prosecutrix was 16 years.
4. The accused-applicant tried to convert the prosecutrix to Muslim religion and was pressurizing her to perform Nikha with him. When the accused-applicant was trying all these tricks, he was apprehended along with the prosecutrix. The accused-applicant not only betrayed his wife and family, but also breached the trust of an innocent girl, who believed in him and got entangled in his false love.
5. Looking at the nature of offence, marital status of the accused-applicant and also the fact that he introduced himself

as 'Raj' to the prosecutrix though he is Anwar Ali, and the prosecutrix being minor, this Court does not find any ground to enlarge the accused-applicant on bail.

6. Bail application is accordingly ***rejected***. However, the trial court should make an endeavour to conclude the trial as early as possible, preferably, within a period of one year.

Order Date :- 18.5.2022

Rao/-