

**Court No. - 12**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 14481 of 2021

**Applicant :-** Naushad

**Opposite Party :-** State Of U.P. Thru Prin.Secy. Home Lucknow And 3 Ors.

**Counsel for Applicant :-** Girija Shankar Tripathi

**Counsel for Opposite Party :-** G.A.

**Hon'ble Dinesh Kumar Singh,J.**

1. Heard learned counsel for the accused-applicant as well as learned Additional Government Advocate and gone through the entire record.

2. By means of this application under Section 439 CrPC, the accused-applicant seeks bail in FIR No.0196 of 2021, under Sections 376 and 506 IPC, 3/4 POCSO Act, 3(2)5, 3(1)(da) SC/ST Act and 3&5(1) of The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 lodged at Police Station Jamo, District Amethi.

3. As per the allegations in the FIR, the prosecutrix was being raped by the accused-applicant for the last 7 months; the prosecutrix was 16 years of age; father of the victim was living in Ahemdabad to earn livelihood for his family; in his absence, the accused-applicant exploited the prosecutrix and, made her pregnant; even radiological age of the prosecutrix has been found to be 17 years.

4. The victim has fully supported the prosecution case in her statement recorded under Section 161 and 164 CrPC.

5. Considering the fact that the accused-applicant has exploited the victim being alone at her home, in absence of her father, who is living in Ahemdabad to earn livelihood for his family and the victim is minor, this Court does not find it to be a fit case for enlarging the accused-applicant on bail.

6. Thus, the prayer for bail is hereby **refused** and the application is **rejected**.

**Order Date :-** 22.3.2022 MVS/-