

**Court No. - 69**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 23082 of 2024

**Applicant :-** Imtiyaz Ansari

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Manvendra Singh

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

**Hon'ble Rohit Ranjan Agarwal,J.**

1. Heard learned counsel for the applicant and Sri P.K. Giri, learned Additional Advocate General for the State.
2. By means of this application under Section 439 of Cr.P.C., applicant who is involved in Case Crime No. 087 of 2024, under Sections 420, 467, 468, 471 of IPC & 3/5(1) of Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 (*hereinafter referred as 'the Act of 2021'*), Police Station- Hafizganj, District- Bareilly seeks enlargement on bail, during the pendency of trial.
3. The prosecution story as unfolded in the First Information Report is that one Imtiyaz Ansari, the applicant who is resident of Village-Ladpur Usmanpur had brought a girl named Kumkum from Delhi who belongs to Hindu community. A false residence certificate was prepared by the Village Pradhan, Nargis Khatoon and her husband Taslim showing name of the girl as Kumkum Bano and name of her father as Imtiyaz Ahmad and the residential address having been changed from Delhi to Ladpur Usmanpur, and religion being shown as Muslim.
4. Learned counsel for the applicant submitted that the applicant has been falsely implicated in the present case. He was actually living in Delhi and was working privately for earning his bread and butter. According to him, some money was taken by the informant and when the same was not returned, false case has been lodged.

5. Sri P.K. Giri, learned Additional Advocate General while opposing the bail application submitted that Kumkum is daughter of one Gopal Nagar and Sushma Devi, resident of Rajasthani Camp, House No. 22, Sarita Vihar, New Delhi. From the statement of girl recorded under Section 161, she had done her senior secondary Class X examination from Government School, Delhi and was working in one factory in New Delhi where she had met the applicant who did not disclose that he was Muslim by religion and was wearing a sacred red thread on his wrist. The girl was taken by the applicant to his parental house at Ladpur Usmanpur, District-Bareilly, where the girl came to know that he was Muslim and the documents in regard to her domicile were fabricated and prepared in connivance with Gram Pradhan. It is further submitted by learned Additional Advocate General that the girl was being converted into Muslim religion on false pretext after preparing false and fabricated documents.

6. I have heard respective counsel for the parties and perused the material on record.

7. In the present case, it is clear from the statement of girl recorded under Section 161 Cr.P.C. that she was convinced by the applicant that he was a Hindu by religion and when she was brought to the native village of the applicant she was shocked to know that the applicant was Muslim by religion.

8. Moreover, the applicant in connivance with the other two co-accused Gram Pradhan and her husband prepared false documents in regard to domicile of the girl and her father changing their religion.

9. Moreover, during investigation, the Police had recorded the statement of the girl which clearly reveals that the Act of 2021 as well as Section 420, 467, 468 and 471 of IPC are attracted.

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10. In the instant case, the applicant had misrepresented himself by fraudulent means, that he was a Hindu by religion, while working at private factory in Delhi and persuaded the girl to come to native village where the documents were prepared for her conversion to Muslim religion.

11. This Court finds that no case for bail is made out.

12. In view of above, the bail application stands rejected.

**Order Date :- 10.7.2024**

V.S.Singh