

**(2023) 05 UK CK 0021**

**In the Uttarakhand High Court**

**Case No : First Bail Application No. 48 Of 2023**

Shiva S/o Shri Mukesh Saini

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

**Date of Decision : 03-05-2023**

**Acts Referred:**

Immoral Traffic (Prevention) Act, 1956 — Section 3, 4, 5, 6, 7

**Citation : (2023) 05 UK CK 0021**

**Hon'ble Judges : Vivek Bharti Sharma, J**

**Bench : Single Bench**

**Advocate : Gaurav Singh, Manisha Rana Singh**

**Final Decision : Allowed**

## **Judgement**

Vivek Bharti Sharma, J

1. Applicant Shiva, who is in judicial custody in Case Crime/F.I.R. No. 1086 of 2022, under Sections 3,4,5,6,7 of Immoral Traffic (Prevention) Act, 1956 and 370-A(2) of I.P.C., Police Station Kotwali Bhagwanpur, District Haridwar, has sought his release on bail.

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

3. Learned counsel for the applicant accused would submit that applicant was juvenile on the date of the incident; he is in judicial custody 20.11.2022; there is no independent witness of the alleged crime; the charge-sheet has already been filed; he is innocent and has falsely been implicated in the instant crime, therefore, no purpose would be served by keeping the applicant behind the bars as the trial is likely to take long time.

4. Learned State counsel Ms. Manisha Singh Rana would vehemently oppose the bail application on the ground that the offences against the applicant/accused are serious in nature but admitted the fact that the charge sheet has already been filed against the applicant accused and he is juvenile on the date of the alleged

incident.

5. Having considered the entirety of the facts, without expressing any opinion on the final merits of the case, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

6. Accordingly, the bail application is allowed.

7. Let the applicant Shiva be released on bail, on furnishing bail bond with two sureties in the amount of Rs. 40,000/- and personal bond in like amount to the satisfaction of the court concerned.