

**Court No. - 9**

**Case :-** BAIL No. - 6497 of 2020

**Applicant :-** Nirijesh (Second Bail)

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

**Counsel for Applicant :-** Anita

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

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

1. Present application under Section 439 Cr.P.C. has been filed seeking bail in FIR registered at FIR No.0548 of 2019 under Sections 354(2), 377, 504 IPC, 7/8 POCSO Act, Police Station Bazarkhala, Lucknow.

2. The accused-applicant is a driver of a school van belonging to Baba Tour and Travels. Children aged about 5-6 years had complained to their parents about the deeds of the accused-applicant. The statements of the witnesses and victims have been annexed with the bail application.

3. One of the victims aged about 5 years told her mother that the accused-applicant used to show porn videos to the students traveling in the van and when students objected, he would burn them by lighter. He would also touch them inappropriately.

4. One of the victims aged about 6 years in her statement recorded under Section 164 Cr.P.C. before the Magistrate, has stated that the accused-applicant would pass current and then he would force her to lick his penis. When the victim refused, she was beaten up by him. Not only he alone but two other co-accused used to do same offences with the victims. Another child aged about 5 years had also stated the same.

5. Considering the heinousness of the offence, tender age of the victims and relationship of the accused-applicant of trust, it is not a fit case where the accused-applicant should be allowed to come out from the jail.

6. In view thereof, I do not find any ground to grant any indulgence to the accused-applicant and therefore, this bail application is hereby ***rejected*** at this stage.

**Order Date :-** 22.9.2020/prateek