



2026:AHC:167578

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 25959 of 2026

Awadhesh Verma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anjali, Pramod Kumar
Singh, Sonali Maurya
Counsel for Opposite Party(s) : Kavita Srivastava, G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Vakalatnama, filed by Ms. Kavita Srivastava, Advocate on behalf of the victim/informant, is taken on record.
2. Heard learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and Ms. Kavita Srivastava, counsel for the informant. Perused the record.
3. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 24 of 2026, under Sections 85, 64(1), 351(3), 115(2) B.N.S., and 3/4 D.P. Act, Police Station- Pikaullia, District- Basti during pendency of the trial.
4. Counsel for the applicant submits that the applicant is the brother-in-law of the informant and has been falsely implicated in the present case. The first information report has been lodged belatedly. A matrimonial discord between the co-accused Rakesh Verma and the informant has been given colour of a criminal case. As per the first information report the applicant had acted indecently with the victim. The date and time of the alleged incident has neither been disclosed in the first information report nor in the statements of the victim under Sections 180 and 183 B.N.S.S. It is contended that the

applicant had not acted indecently with the victim. At this stage, there is no corroborative evidence to link the applicant with the offence. Further, during the pendency of the proceedings, the parties have entered into a compromise. Copy of the compromise deed dated 7.7.2026 has been annexed as Annexure No.1 to the short counter affidavit, filed by the informant. The applicant is in jail since 13.6.2026 having no criminal history. In case he is enlarged on bail, he will not misuse the said liberty.

5. Counsel for the informant does not dispute the submission advanced by counsel for the applicant and submits that the informant has no objection, in case the applicant is enlarged on bail.

6. Learned A.G.A. for the State opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

7. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the first information report has been lodged belatedly. The date and time of the alleged incident has neither been disclosed in the first information report nor in the statements of the victim under Sections 180 and 183 B.N.S.S. As per the compromise deed dated 7.7.2026 the parties have entered into settlement. At this stage, there is no corroborative evidence to link the applicant with the offence. The applicant has no criminal antecedents. Further the applicant has presently remained confined for more than one month and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

8. Let the applicant, **Awadhesh Verma** involved in the aforesaid case be released on bail on his furnishing a personal

bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

August 11, 2026
S.S.

(Vivek Varma,J.)