



2026:AHC:172009

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27597 of 2026

Mukesh Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mithilesh Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Mithilesh Kumar Shukla, learned counsel for the applicant and Sri Kunwer Tejendra Bahadur, learned AGA for the State-respondent.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 615 of 2026, under Sections 69, 352 BNS, Police Station South, District Firozabad, during pendency of the trial in the court below.
3. Learned counsel for the applicant submitted that admittedly victim of the case was married lady and allegation of sexual exploitation of victim against the applicant under the false promise of marriage, prima facie, appears to be false.
4. He further submitted that even from the FIR as well as statement of the victim recorded under sections 180 and 183 BNSS, prima facie, it reflects that she was consenting party.
5. He further submitted that as applicant and victim both were adult, therefore, prima facie, allegation against the applicant appears to be false.
6. He further submitted that apart from the present case, applicant is having criminal history of two other cases and however one case relates to section 74 BNSS (354 IPC) but in that case he is on anticipatory bail.
7. He further submitted that applicant is in jail in the present matter since 13.06.2026.
8. Per contra, learned AGA opposed the prayer for bail but could not dispute

the arguments on facts advanced by learned counsel for the applicant.

9. I have heard learned counsel for the parties and perused the record of the case.

10. However, as per allegation applicant under the false promise of marriage sexually exploited the victim but victim admittedly was married and major lady and even from the FIR which was lodged by victim herself and her statements recorded during investigation, prima facie, present case appears to be a case of consensual relationship.

11. Further, apart from the present case, applicant is having criminal history of two other cases including a case relates to section 74 BNSS (354 IPC) but in this case he is on anticipatory bail.

12. Further, in the present matter applicant is in jail since 13.06.2026.

13. Therefore, considering the facts and circumstances of the case, discussed above, in my view, applicant is entitled to be released on bail.

14. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

15. Let the applicant-**Mukesh Sharma**, be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

16. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

17. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the

said observations shall have no bearing on the merits of the case during trial.

August 14, 2026
Ankita

(Sameer Jain,J.)