



2026:AHC-LKO:42232

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4779 of 2026

Prince @ Prince Kumar

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Home Lko. And
3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	: Yogesh Kumar Mishra, Dharmendra Kumar Yadav, Shraddha Chaturvedi
Counsel for Opposite Party(s)	: G.A.

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

1. Vakalatnama filed by Shri Kaushalendra Kumar Tripathi, Advocate, on behalf of opposite party no. 2 is taken on record.
2. Heard learned counsel for the applicant, learned counsel for opposite party no. 2, learned A.G.A. for the State, and perused the record.
3. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail during the trial in Case Crime No. 27 of 2026, under Sections 64(1), 137(2) and 87 of the BNS and Sections 3/4 of the POCSO Act, Police Station Jayas, District Amethi.
4. Learned counsel for the applicant submitted that as per the version of the F.I.R, it is alleged that when the daughter of the informant had gone for nature's call, she was taken away by the applicant. He submitted that the applicant is innocent and has been falsely implicated in the present case. He further submitted that the applicant and the alleged victim are major and have solemnized their marriage and are living together as husband and wife. He has drawn the attention of this Court to the statement of the victim recorded under Section 183 BNSS and submitted that the said statement demolishes the prosecution case. He further submitted that no useful purpose would be served by keeping the applicant in jail, as the matrimonial life of the applicant and the alleged victim would be affected and the victim may also suffer trauma due to the continuance of the criminal proceedings. It is further submitted that the applicant has no criminal history and is languishing in jail since 15.04.2026. The applicant undertakes that, if released on bail, he will cooperate in the trial proceedings and will not misuse the liberty of bail.

5. Learned counsel appearing for opposite party no. 2 supported the case of the applicant and submitted that the victim herself had gone with the applicant and no offence has been committed by him. He further submitted that the applicant and the alleged victim have performed marriage and the FIR has been lodged by the family members of the victim due to their annoyance.

6. Per contra, learned A.G.A. opposed the contention aforesaid..

7. Having heard the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, it appears that the alleged victim is now a major. As per the specific averments made in the affidavit filed in support of the bail application, the applicant and the alleged victim have solemnized their marriage. The statement of the victim recorded under Section 183 BNSS also does not support the prosecution case. This Court has also taken into consideration the statement made by learned counsel for opposite party no. 2.

8. Considering aforesaid facts and circumstances of the case, as also the fact that the applicant has no previous criminal history, is languishing in jail since 15.04.2026, and has undertaken to cooperate in the trial proceedings and not to misuse the liberty of bail, I find it to be a fit case for grant of bail.

9. Let the applicant- **Prince @ Prince Kumar** involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

(1) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, or otherwise during the investigation or trial;

(2) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. He shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 229-A of the Indian Penal Code;

(3) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C.; and

(4) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C. is issued and the

applicant fails to appear before the court on the date fixed in such proclamation, the trial court shall initiate proceedings against him, in accordance with law under Section 174-A of the Indian Penal Code.

10. The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

11. It is clarified that the observations made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the merits of the case.

June 29, 2026
DiVYa

(Shree Prakash Singh,J.)