



2026:AHC-LKO:41568

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 426 of 2026**

Ramlautan Alias Ram Lotan

.....Applicant(s)

Versus

State Of U.P. Thru. Secy. Home Deptt. U.P. Lko.
And Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Vimlesh Kumar Kashyap, Amit Kumar
Gaur, Ankit Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 11

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Ankit Singh, learned counsel for the applicant, Ms. Ranjana Srivastava, learned A.G.A. appearing on behalf of the State and perused the record.
2. The instant anticipatory bail application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.0733 of 2023, under Sections-376, 504, 506 I.P.C., registered at Police Station-Kotwali, District-Sitapur.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 08.12.2023 in furtherance of an application under Section 156(3) Cr.P.C. filed by complainant-opposite party no.2 alleging that the complainant is working as a constable in civil police. Her first posting was made in the year 2019 at district Sitapur. The applicant was also posted as constable in the same police station. The applicant started harassing the complainant by making phone calls and in the month of April, 2023, the applicant sent the complainant's morphed photo to her mobile phone and threaten her to virally spread the obscene photos. The applicant called her to a hotel and forcibly made physical relations with her.
4. In the statement recorded under Section 161 Cr.P.C., she reiterated the

F.I.R. version.

5. The Investigating Officer asked the complainant that she herself is a constable and why she did not raise any complaint to the police. The complainant stated that she was frightened. When the Investigating Officer asked when the photographs were morphed and was not of the complainant why she was frightened, the complainant did not give any answer. The Investigating Officer asked as to whether the complainant gave the information of commission of rape against her by dialing 112, the complainant answered in negative. The Investigating Officer asked as to whether complainant has the photos/videos sent by the applicant, the complainant stated that she has deleted the same. She stated that she did not tell the inspector of the police station that the applicant was threatening her. After her marriage, she told about the incident to her husband and on the suggestion of her husband she lodged the complaint.

6. In the statement recorded under Section 164 Cr.P.C. the complainant stated the she had not given information of the incident earlier because she was frightened and she has deleted the photos/videos sent by the applicant.

7. In the affidavit filed in support of the anticipatory bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.

8. The supplementary affidavit filed by the applicant stating that on the same set of allegations a disciplinary inquiry was constituted against the applicant in which he was exonerated.

9. Learned A.G.A. has opposed the anticipatory bail application and submitted that although a closure report was submitted on 29.01.2024 but the complainant filed a protest petition where the trial court passed an order on 03.07.2024 directing that the protest petition be registered as State case.

10. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that statement of the complainant that she herself has deleted all the evidence; that the allegations against the

applicant could not be established; in disciplinary inquiry the applicant got exonerated and the applicant being a constable himself, there is no reason of apprehension for abusing the process of law, applicant has no criminal history and he has undertaken to cooperate in the investigation/trial, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

11. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of applicant- **Ramlautan @ Ram Lotan** before the learned Trial Court in the aforesaid case crime, he shall be released on bail on furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

- (i). that the applicant shall make himself available for interrogation by a police officer as and when required;
- (ii) that the applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence;
- (iii) that the applicant shall not leave India without the previous permission of the court.
- (iv) that the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted; and
- (v). that the applicant shall not pressurize/ intimidate the prosecution witness.

(Subhash Vidyarthi,J.)

June 19, 2026

Arti/-