



2026:AHC-LKO:42314

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4915 of 2026

Mohd.Shueb Ansari

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Narendra Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

Short counter affidavit filed by the complainant is taken on record.

Supplementary affidavit filed by the applicant is also taken on record.

Heard learned counsel for the applicant, learned A.G.A.-I for the State and perused the material placed on record.

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. 103/2026, under Sections 64(1), 115(2), 351(2), 352, 131 BNS, Police Station Khairabad, District Sitapur.

Learned counsel appearing for the applicant submits that the applicant is innocent and has falsely been planted by the police in the instant matter. He next submitted that there are several contradictions in the prosecution story in committal of the alleged offence. He submits that the allegation is that the applicant committed rape and thereafter he accorded false promise of marriage, which is improbable story narrated by the informant. He also submitted that due to annoyance the present First Information Report has been lodged and the parties are ready for performing the marriage. He submits that the applicant has no previous criminal history and he is languishing in jail since 14.04.2026.

Learned counsel for the complainant has submitted that due to certain misconception First Information Report was lodged and now, the applicant is ready to perform the marriage with the victim, thus submission is that he

may be enlarged on bail.

Upon considering the submissions of learned counsel for the parties, particularly with the statement of counsel for the complainant that the First Information Report has been lodged under misconception and both the are major and are ready to perform the marriage. The applicant has no previous criminal history and he is languishing in jail since 14.04.2026.

Considering the submissions of learned counsel of both sides, nature of accusation and severity of punishment in case of conviction, nature of supporting evidence, prima facie satisfaction of the Court in support of the charge, reformatory theory of punishment and considering larger mandate of the Article 21 of the Constitution of India and, without expressing any view on the merits of the case, I find it to be a case of bail.

Let the applicant- **Mohd. Shueb Ansari**, 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.

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.

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 30, 2026

Muk

(Shree Prakash Singh,J.)