



2026:AHC-LKO:41450

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4290 of 2026

Lukman

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Home Lko.
And 4 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Wali Nawaz Khan, Alina Masoodi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Shri Wali Nawaz Khan, learned counsel for the applicant, Shri Hari Prasad Maurya, learned A.G.A. for the State and Ms. Snigdha Singh, Advocate who has filed vakalatnama on behalf of the opposite party Nos.2 and 3, which is taken on record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.29 of 2026 under Sections 137(2), 87, 65(1) of B.N.S. and Section 3/4(2) of POCSO Act registered at Police Station- Vishweshwarganj, District- Bahraich.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 01.02.2026 stating that the applicant had enticed away the informant's daughter aged 16 years on 31.01.2026.
4. The Investigating Officer recorded the statement of a Hotel Manager who stated that initially the applicant had come alone to the Hotel on 27.01.2026 and had taken a room. Thereafter, he went out on 31.01.2026 at about 11:15 AM with a request to change his room stating that he would return between 07:00-8:00 PM. The applicant reached the hotel at about 07:30 PM along with a girl (the victim). The victim had produced her Aadhar card mentioning her date of birth to be 02.08.2007 and she has stayed in the room with the applicant and both of them had checked out at 04:05 AM on 01.02.2026.
5. In the statement of the victim recorded under Section 180 B.N.S.S., she stated that she is aged 16 years, she came into contact with the applicant through Instagram, she knows the applicant for the past one year and loves

him. Upon coming to know about it, her father and brother started talking about eliminating her and, therefore, she had run away with the applicant. Both of them went to Nepal and married in a temple.

6. The medico-legal examination report mentions no mark of injury or sign of use of force on any part of the body.

7. In the statement of the victim recorded under Section 183 B.N.S.S., she reiterated her earlier version. She stated that her brother was making a plan to eliminate her. She was being abused in her house. Therefore, she made a phone call to the applicant and requested to save her by taking her away from her home. Thereafter, she went to Nepal and married him. She stated that the applicant did not put pressure for marrying him and she married the applicant out of her own free will because she was fed-up with her family members. The victim stated that her family members made repetitive efforts and had she not gone with the applicant, her family members would have killed her.

8. In the affidavit filed in support of the bail application, it has been stated that the applicant is a young man aged 20 years having no criminal history and he has been falsely implicated in the present case.

9. The learned A.G.A. has opposed the bail application and he has submitted that the allegations have been established during investigation and a charge-sheet has been submitted on 20.04.2026.

10. The learned counsel for the complainant has also opposed the bail application and she has submitted that the victim is a minor.

11. Having considered the aforesaid facts and circumstances of the case and keeping in view the consistent statements of the victim wherein she has not levelled any allegation against the applicant rather she has levelled allegations of eliminating her against her own family members and has stated that she herself requested the applicant to take her away so as to save her life and that the applicant is a young man aged 20 years having no criminal history and he is languishing in jail since 08.03.2026 whereas the investigation stands concluded, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid case.

12. Accordingly, this bail application stands **allowed**.

13. Let the applicant- **Lukman** be released on bail in the aforementioned

case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to following conditions:-

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

June 18, 2026

-Amit K-

(Subhash Vidyarthi,J.)