



2026:AHC:4473

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 43742 of 2025

Dev @ Raghunath

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashutosh Gupta, Vandana Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri S. K. Rai, learned AGA-I for the State-Respondent and perused the record.

The present bail application has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 874 of 2025, under Section 75 of the Bharatiya Nyaya Sanhita, 2023, and Sections 9m, 9p/10 of POCSO Act, Police Station Highway, District Mathura.

Learned counsel for the applicant argued that the accused-applicant is innocent and he has been falsely implicated in this case crime number. Learned counsel for the applicant further submits that the applicant has neither outraged the modesty nor misbehaved with the victim. He submits that there is no independent witness of the alleged incident. He submits that the parents of the victim had not paid the coaching fee of five months to the applicant and being annoyed the parents of the victim implicated the applicant with a concocted story. He submits that in the present case, charge-sheet has been filed and the applicant is not required any custodial interrogation. He submits that the victim had refused to get herself medically examined, which belies the prosecution story. The applicant is languishing in jail since 28.09.2025. He submits that the applicant has no criminal antecedent to his credit. He submits that there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, the bail has been prayed for.

Learned AGA has vehemently opposed the prayer of bail, but could not

dispute the above submissions raised by learned counsel for the applicant.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is **allowed**.

Let the accused-applicant, **Dev @ Raghunath**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 8, 2026

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(Ashutosh Srivastava,J.)