



2026:AHC:5231

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44963 of 2025

Dharamveer

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Shri Kant Kesharwani, Tanya Shri
Counsel for Opposite Party(s) : Mohd Rehan Ansari, Mohd. Ahmar
Rizwan Ansari, G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Shri Kant Kesharwani, learned counsel for the applicant Mohd. Rehan Ansari, learned counsel. for the first informant and Shri Arimardan yadav, learned A.G.A. representing the State respondents.

This bail application under Section 483 B.N.S.S. has been moved on behalf of accused-applicant, Dharamveer seeking enlargement on bail in Case Crime No. 378 of 2025, under Sections- 137 (2), 75, 87 B.N.S. and Section 7/8 of POCSO Act, Police Station-Mauaima, District-Prayagraj.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 05.10.2025. First Information Report has been lodged on 27.09.2025, with a delay of two days without any plausible explanation, for an incident occurred on 25.09.2025, against the applicant and one other co-accused namely Vineet Kumar, with the allegation that on the date of incident his minor daughter and her two friends went missing and there is an apprehension that the applicant and other co-accused have enticed away them. Learned counsel for the applicant submits that the victim in her statements under Section 180 and 183 has stated that she was in relation with the applicant and she had gone with the applicant with her own sweet will and the applicant has not enticed her. The applicant has no criminal antecedent and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Learned AGA as well as learned counsel for the first informant have vehemently opposed, but could not dispute the fact that applicant has no criminal antecedents.

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, ***Dharmveer***, 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.

(Ashutosh Srivastava,J.)

January 8, 2026

Deepak/