



2026:AHC:39181

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 1484 of 2026

Pitam Singh

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mrityunjay Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Despite service of notice none has appeared on behalf of informant even in the revised call.

2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.

3. Learned counsel for the applicant submits that the F.I.R. was lodged by the mother of the victim stating therein that on 02.02.2025 the applicant had enticed away her minor daughter aged about 16 years and committed her rape in a hotel and also made video and photographs of such incident, due to alleged commission of her rape the victim became pregnant, thereafter, applicant gave her some medicine for removal of her pregnancy, and when the victim complain about pain in her stomach the applicant after getting her ultrasound report got aborted her pregnancy and when her health became deteriorated he fled away. Learned counsel further submits that though in her statements recorded under Sections 180 & 183 BNSS the victim has made allegation of rape against the applicant, but as per the prosecution version the alleged incident took place on 02.02.2025 regarding which the application under Section 173(4) BNSS was moved by the informant on 12.06.2025, without there being any plausible explanation of delay. The victim has refused for her internal medical examination. Learned counsel further submits that the victim has never informed her parents or made complaint before the police earlier regarding such an incident committed with her by the applicant. When she became pregnant she informed the applicant who gave her some medicines, thereafter, on being complaint of pain the applicant got aborted her pregnancy, thus, it appears that the victim was consenting party. Further, as alleged by the prosecution that applicant had taken her in a hotel, the Investigating Officer has recorded the statement of the Manager of the hotel, who as per his register, informed that there is no entry in his register in the name of applicant or the victim on the alleged date. Thus, it appears that it is a case of false implication and the applicant

has been implicated in the case with malafide intention and ulterior motive. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been mentioned. It has also been assured on behalf of the applicant that he is ready to cooperate with the process of law and shall faithfully make himself available before the court whenever required and is also ready to accept all the conditions which the Court may deem fit to impose upon him. He next submits that the applicant is in jail since 14.08.2025, with no criminal history.

4. Per contra, learned A.G.A. has opposed the prayer for bail of the applicant by contending that the innocence of the applicant cannot be adjudged at pre trial stage, therefore, he does not deserve any indulgence.

5. Considering the overall facts and circumstances, the nature of allegations, the gravity of offence and without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

6. Let the applicant-Pitam Singh, be enlarged on bail in Case Crime No. 503 of 2025, under Sections 64, 87, 89 of B.N.S. and Section 3/4 of Protection of Children From Sexual Offences Act, Police Station-Kotwali, District- Mathura, on executing a personal bond and furnishing two local sureties each in the like amount to the satisfaction of the court concerned with the following conditions:

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear on the date fixed by the trial court.
- iv) The applicant shall not commit any offence similar to the offence of which the applicant is accused, or suspected of the commission.
- v) 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 such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

7. In case of default of any of the conditions enumerated above, the court concerned shall be at liberty to cancel the bail of applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

February 19, 2026

Mustaqeem.