



2026:AHC:3052

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 40712 of 2025

Ramavtar

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Gaurav Srivastav, Rajesh Kumar
Srivastava

Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant 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, Ramavtar, seeking enlargement on bail in Case Crime No.32 of 2025, under Sections- 127 (2), 74, 75 BNS & Sections 9M/10 of POCSO Act, Police Station-Hariparvat, District-Agra.

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 01.02.2025. First Information Report has been lodged by the first informant on 31.01.2025 with the allegation that on the date of incident the applicant abducted the minor daughter of the first informant from the way, taken her in to bushes, tied her and tried to molest her and on hue and cry he was apprehended on spot. Learned counsel for the applicant submits that the version of the prosecution is highly doubtful as the place of incident is public place. He further submits that the father of the victim himself denied from the internal medical examination of the victim. 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 has 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, ***Ramavtar***, 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 7, 2026

Deepak/