



2026:AHC:3433

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41581 of 2025

Inam Ilahi

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Anjali Singh Tomer, Inder Pal Singh Tomar
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri Rajesh Kumar Singh, learned AGA 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. 393 of 2025, under Sections 137(2) and 75 of the Bharatiya Nyaya Sanhita, 2023, and Section 9-g/10 of the POCSO Act, Police Station Hapur Nagar, District Hapur.

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 is a senior citizen aged about 62 years. He further submits that the applicant has neither outraged the modesty of the victim nor misbehaved with the victim. He submits that there is no independent witness of the alleged incident. He submits that there is variation in the statement of the witness recorded by the Investigating Officer, which belies the prosecution story. He submits that no video clip is available on record and the allegation made against the applicant is concocted. He submits that in the present case, charge-sheet has been filed and the applicant is not required any custodial interrogation. In the medical report, neither external nor internal injury has been reflected on the body of the victim. The applicant is languishing in jail since 28.06.2025. 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, **Inam Ilahi**, 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 7, 2026

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(Ashutosh Srivastava,J.)