



2026:AHC:67142

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 1471 of 2026

Pradeep

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Kapil Kumar, Sandhya Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65
(Sl. No.64 out of 315)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. As informed by learned State Law Officer, notice to the informant has been served on 9.1.2026.

2. Heard Ms. Sandhya Singh, learned counsel for the applicant as well as Sri R.P. Singh, learned State Law Officer and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 147 of 2025, under Sections 65(1), 115(2), 137(2), 333, 351(3) BNS and 3/4 POCSO Act, Police Station Ahaar, District Bulandshahr, during the pendency of trial.

4. As per prosecution story, the applicant is stated to have committed rape with the victim by forcibly abducting her and taking her to an agricultural field and thereupon the matter being reported in the village, the applicant is stated to have forced the daughter of the informant in an unconscious state outside the village on 5.11.2025 at about 10.30 pm.

5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. FIR is delayed by about two days and there is no explanation of the said delay caused. It is true that the informant used to live in Noida and the incident is of district Bulandshahr.

6. Learned counsel has further stated that the medical examination of the victim was conducted at Government Hospital, Bulandshahr on 8.11.2025

and one injury was observed on the scalp .5x.5 cm and the said injury was simple in nature. Even a pink cannula was observed. The story as narrated by the victim to the doctor cannot be believed. The victim has stated in her statement recorded u/s 183 BNSS, whereby the applicant is stated to have gagged the mouth of the victim and assaulted her with the stick and had forced her into the field. Earlier to the said medical examination, another medical examination of the victim and her cousin sister-in-law, Manju, who were treated as OPD patients at CHC Anupshahr, Bulandshahr, was conducted, which was entered as E4418 and E4419 and has been filed as Annexure-9 at page no.72. There is no explanation of the injuries sustained by the cousin sister-in-law of the applicant, namely, Manju. There is no injury on the vital part of the victim, as such, the applicant is entitled for bail.

7. Learned counsel for the applicant has further stated that there is no criminal history of the applicant. There is no medical corroboration of the incident. The applicant is languishing in jail since 12.11.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

8. Learned State Law Officer has vehemently opposed the bail application but could not dispute the submissions made by the counsel for the applicant.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the delay in FIR; the said anomaly in the medical examination report as referred and there being no injury on the vital part of the victim and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

10. Let the applicant- **Pradeep**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall not tamper with evidence during trial.

(ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.

(iii) The applicant shall appear before the trial court on the date fixed.

11. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

12. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

March 31, 2026
Shalini