



2026:AHC:55922

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 4582 of 2026

Anand Verma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anoop Kumar, Pawankumar Dubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the applicant, Sri O.P. Dwivedi, learned AGA for the State-respondents and perused the record.
2. Learned counsel for the applicant submits that he does not wish to file rejoinder affidavit and is ready to argue the bail application.
3. This bail application has been moved on behalf of accused-applicant Anand Verma seeking enlargement on bail in Case Crime No.509 of 2025, under Sections 137(2), 87 B.N.S., Police Station Sadar Bazar, District Shahjahanpur.
4. Tersely, as per the allegation contained in the FIR accused-applicant has kidnapped the minor daughter of informant having age of 13 years only.
5. Learned counsel for the applicant submits that the accused-applicant has not committed any offence as alleged in the FIR and has been falsely implicated in this case because he is neighbor of informant. Applicant is languishing in jail since 18.10.2025. It is submitted that though applicant is named in the FIR but he has not enticed or kidnapped the daughter of informant and the victim has not supported the prosecution version regarding her abduction by applicant. It is further submitted that victim has stated in her statement recorded under Section 180 B.N.S.S. that applicant wanted to marry her and he has not committed any wrong with her, whereas in her statement recorded under Section 183 B.N.S.S. she stated that when she was sleeping alongwith her mother applicant and her brother came and forcefully kidnapped her and applicant made proposal to marry her but she denied to marry applicant, applicant has not committed any wrong with her. It is argued that the victim in her statements recorded under Section 180, 183 B.N.S.S. has assigned common role to applicant and his brother and as per

FIR and statement under Section 183 B.N.S.S. her age is 13 years. It is next argued that the victim was recovered after five days of the incident and applicant has no criminal antecedents to his credit. Submission is that the conclusion of trial will take sufficiently long 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.

6. Per contra, learned AGA 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. It is further submitted that, in case the applicant is released on bail, he may again indulge in similar activities and misuse the liberty of bail. It is further submitted that as per the instructions received, charge-sheet has already been submitted in this case on 20.10.2025.

7. Having considered the submissions of the parties noted above as also the fact that though applicant is named in the FIR but the victim was recovered after five days of the incident, though in the statement under Section 180 B.N.S.S. she stated that applicant has forcefully kidnapped her but in her statement recorded under Section 183 B.N.S.S. she stated role and involvement of applicant and his brother regarding kidnapping her forcefully, therefore, involvement of two persons has been mentioned in the statement under Section 183 B.N.S.S., applicant has no criminal history, charge-sheet has already been submitted, therefore, there is no reasonable possibility of intimidating or pressurizing the prosecution witnesses, keeping in view the uncertainty regarding conclusion of trial; larger mandate of the Article 21 of the Constitution of India, considering paragraph no.53 of Apex Court in case of **Manish Sisodia vs. Directorate of Enforcement 2024 (SC) LawSuit 677**, dictum of Apex Court in **Union of India vs. K.A. Najeeb (2021) 3 SCC 713** & **Satender Kumar Antil vs. Central Bureau of Investigation & Anr. (2022) 10 SCC 51** and without expressing any opinion on the merits of the case, let the applicant involved in the aforesaid crime be released on bail on his furnishing personal bond and **two heavy sureties** each in the like amount to the satisfaction of the court concerned with the following conditions that:-

(i) The applicant shall not tamper with the evidence or threaten the witnesses.

(ii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are

present in Court.

(iii) The applicant shall remain present before the trial court on each date fixed, either personally or as directed by the court concerned.

(iv) The applicant shall remain present in person before the Trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement of accused personally to explain circumstances appearing in the evidence against him.

(v) In case the applicant misuses the liberty of bail during trial and in order to secure his presence, the trial court shall initiate proceedings against him strictly, in accordance with law.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail by the trial court.

9. Identity and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

March 18, 2026
RA

(Santosh Rai,J.)