



2026:AHC:5657

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 206 of 2026

Salman

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. for the State and perused the material brought on record.

2. Learned counsel for the applicant submits that applicant is named in the F.I.R. along with two other persons. The F.I.R. alleges that all the named accused including the applicant had committed her rape after administering her some intoxicated substance and they also made video clip of such incident. Thereafter all the accused by blackmailing her committed her rape several times. They also exerting pressure upon her for changing her faith. In her statements recorded under Sections 180 & 183 BNSS the victim has reiterated her version made against the applicant. There is no disclosure about date and time of the incident in the F.I.R. whereas, in her statement recorded under Section 180 BNSS the victim has disclosed that in the month of May, 2024 the applicant had committed her rape after serving her cold drink. Thus, regarding alleged incident committed by the applicant in the year 2024 the F.I.R. has been lodged on 12.09.2025, thus, there is inordinate delay in lodging of the F.I.R. without there being any plausible explanation of delay. No such video has been recovered during the course of investigation. In her medical examination no internal or external injury was found on her person, thus, medical evidence does not corroborate with the allegation of forcible rape committed upon her. Thus, it has been argued that it is a false case of implication and the applicant has been implicated in the case with false and frivolous allegations due to ulterior motive and malafide intention. 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 13.09.2025, with no criminal history.

3. 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.

4. 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.

5. Let the applicant-Salman, be enlarged on bail in Case Crime No. 148 of 2025, under Section 70(1), 123, 351(3), 352 of B.N.S. and Section 3/5/(3) of Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, Police Station- Kampil, District- Farrukhabad, 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.

6. 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.)

January 8, 2026

Mustaqeem.