



2026:AHC:6320

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 276 of 2026

Sadab

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Lavkush Kumar Bhatt
Counsel for Opposite Party(s)	:	G.A., Radhey Shyam Yadav

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A. for the State as well as learned counsel for the informant and perused the material brought on record.
3. Learned counsel for the applicant submits that the applicant is named in the F.I.R. along with three other accused. In the F.I.R. the informant alleges that when he woke up on 30.10.2025 at about 11:00 p.m. he did not find his minor daughter aged about 15 years. On being searched when he reached at a deserted house he found his daughter. When he inquired his daughter informed that the applicant had enticed her and had committed her rape and other named accused had assisted in her enticement. The victim in her statements recorded under Section 180 & 183 BNSS has stated that she went on her own at the house of the applicant and physical relation was established between them, thus, she has not made any specific allegation of rape against the applicant. In her medical examination no sign of use of force was found. As per radiological report the victim was found 18 years old. Learned counsel further submits that the victim was recovered on the same day, the F.I.R. was lodged on the next day and she was medically examined on the next day of lodging of the F.I.R., i.e., within two days of the alleged incident, but no internal or external injury was found on her person, thus, medical evidence does not corroborate with the allegation of rape. Furthermore, as per statements of the victim she appears to be a consenting party and applicant has falsely been implicated. 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 03.11.2025, with no criminal history.

4. Per contra, learned A.G.A. as well as learned counsel for the informant have 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.

5. 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.

6. Let the applicant-Sadab, be enlarged on bail in Case Crime No. 152 of 2025, under Sections 151(2), 352, 351(3), 65(1), 137(2) of B.N.S. read with Section 3(1)Da, 3(1)Dha, 3(2)5 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 3/4 of Protection of Children From Sexual Offences Act, Police Station- Merapur, 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.

7. 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.