



2026:AHC:16393

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2213 of 2026

Arman

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Amit Kumar Yadav, Karunesh Pratap Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Sri Shivam Kumar and Anand Vibhor Singh, learned counsel have submitted that power has already been filed in the registry. However, counter affidavit on behalf of the informant has been filed today in the Court, is taken on record.

2. Heard learned counsel for the applicant, learned counsel for the informant, learned A.G.A for the State and perused the record.

3. Learned counsel for the applicant has contended that the victim is major and that the victim is legally wedded wife of the applicant, who is residing at her matrimonial house. He thus submits that the applicant is innocent and has been falsely implicated in the present case. 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 applicant is languishing in jail since 30.06.2025 having no criminal history.

4. Learned counsel for for the informant has also contended that the victim after solemnization of marriage with the applicant, the victim is residing at her matrimonial house and now the dispute has been resolved, therefore, the informant has no objection, in case, the applicant is enlarged on bail, which averments has also been stated in paragraph no.2 of the counter affidavit.

5. 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. In case the applicant is released on bail he will again indulge in similar activities and will misuse the liberty of bail.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties, nature of evidence, and all attending facts and circumstances of the case, without expressing any opinion on merits of the case, this Court is of the view that the applicant has made out a case for bail. Hence the bail application is allowed.

7. Let applicant **Arman** involved in Case Crime No. 197 of 2025 under Sections 137 (2), 65(1), 87 B.N.S., Section 5L/6 of POCSO Act, Police Station Campierganj, District Gorakhpur, be released on bail on furnishing a personal bond and two local heavy sureties each of the like amount to the satisfaction of the court concerned subject to 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 an 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.

8. In case of breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

January 22, 2026

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