



2026:AHC:60426

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2105 of 2026

Narayan

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Nisha Chouhan, Shailendra Singh Rathore
Counsel for Respondent(s)	:	G.A.

Court No. - 50

HON'BLE SHEKHAR KUMAR YADAV, J.

1. Heard learned counsel for the appellant and learned AGA as well as perused the entire record.
2. The present criminal appeal under Section 14-A(2) Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has been filed by the appellant - **Narayan** to set aside the bail rejection order dated 31.1.2026 passed by Additional Sessions Judge/Special Judge SC/ST (P.A.) Act , Mainpuri in Bail Application No.147 of 2026 (Narayan and others Vs. State of U.P. and another) arising out of Case Crime No. 410 of 2025, under Sections 74, 115(2) of B.N.S. and Section 3(2)Va, 3(1)(r) of SC/ST (P.A.) Act, P.S.- Bhaogaon, District- Mainpur with a further prayer to enlarge the appellant on bail in the aforesaid case.
3. As per prosecution story, it is alleged that the informant is living at Delhi alongwith her friends and studying in B.Sc. On 30.7.2025 at about 11.00 p.m. she went towards her house from Bus No. UP 78JT 5754 and on the way passengers stopped the bus at Citizen Dhaba at 10.00 p.m. for taking some food items and she went for natural call towards field, four accused persons came there and molested with her, then she fall down and sustained injuries on her hand, on her noise, some police alongwith 2-3 persons came there and caught the accused persons.
4. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. The applicant has not committed any offence as alleged in the impugned FIR. There are major

contradiction in the statement of the victim recorded under Section 180 & 183 BNSS. Medical also does not support the prosecution story. There is no independent witness of the alleged incident. No identification parade was made by the police. Learned counsel for the appellant further submits that the impugned order rejecting the bail application of the appellant suffers from infirmity and illegality warranting interference by this Court. Appellant is languishing in jail since 31.7.2025 having no criminal history.

5. On the other hand, learned AGA has opposed the application for bail but could not dispute the submission raised by learned counsel for the appellant.

6. Having regard to the facts and circumstances of the case and keeping in view the nature of the offence, evidence, complicity of the accused, role assigned to the present appellant and the nature of injury, the Court is of the opinion that the appellant has made out a case for bail.

7. Accordingly, the appeal is **allowed** and the impugned order rejecting the bail application of the appellant is hereby **set-aside**.

8. Let the appellant- **Narayan**, involved in aforesaid case crime number be released on bail on 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 appellant will not tamper with the evidence during the trial.
- (ii) The appellant will not pressurize/ intimidate the prosecution witness.
- (iii) The appellant will appear before the trial court on the date fixed, unless personal presence is exempted.
- (iv) The appellant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
- (v) The appellant 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

(Shekhar Kumar Yadav,J.)

March 24, 2026
Krishna*