



2026:AHC:44299

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6955 of 2026

Arif @ Aaskeen

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sukrampal
Counsel for Opposite Party(s)	:	G.A., Mahendra Ram Maurya

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. 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.

2. Learned counsel for the applicant submits that applicant is named in the F.I.R. along with two other accused. The F.I.R. was lodged by the father of the victim stating therein that marriage of his daughter was solemnized with one Asif, previous night the applicant had committed rape upon his daughter and she had also been assaulted by all the accused named in the F.I.R. In her statements recorded under Sections 180 & 183 BNSS the victim has supported the version of F.I.R. by making allegation of rape against the applicant as also of her assault. The alleged incident took place on 17.12.2025, the F.I.R. was lodged on the next day and the victim was medically examined next day of the incident, i.e., 18.12.2025, wherein though three external injuries were found on the person of the victim, but in her internal examination no any injury was found in her private parts, thus, it appears that on the date of incident the victim was assaulted by the accused persons, but no such commission of rape has been committed upon her. Thus, it has been argued that it is a case of false 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 19.12.2025, with no criminal history.

3. 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 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-Arif @ Aaskeen, be enlarged on bail in Case Crime No. 407 of 2025, under Sections 64(1), 115(2), 351(2) of B.N.S., Police Station- Singhawali Ahir, District- Baghpat, 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.)

February 25, 2026

Mustaqeem.