



2026:AHC:44098

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 6934 of 2026

Alishad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Bindu Kumari, Janardan Yadav
Counsel for Opposite Party(s)	:	G.A.

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 Ms. Saumya Shukla, learned counsel for the informant and perused the material brought on record.

2. Learned counsel for the applicant submits that F.I.R. dated 14.08.2024 was lodged by the victim herself stating therein that talking terms were started between her and the applicant five years earlier, thereafter, by making false promise of marriage he used to establish sexual relations with her, several times and when she insists for marriage he used to avoid and now he had refused to marry her. The applicant had also made her obscene video and got viral the same. In her statements recorded under Sections 180 & 183 BNSS the victim has reiterated the version of F.I.R. Learned counsel further submits that the victim is major woman aged about 19 years. From the entire prosecution version it appears that victim was in relationship with the applicant and whatever sexual relations were developed between them that were consensual as they were in relations for a considerable period of about five years and there is no prior complaint made by the victim in this regard, therefore, it appears that applicant has been implicated in the case with false and frivolous allegations with malafide intention and due to ulterior motive. Further, the victim alleges that on 04.08.2024 when she reached at the house of applicant other accused named in the F.I.R. had also assaulted her, but there is no medical report showing any external injury has been sustained by the victim. Also, no such video, as has been alleged by the victim, has been recovered during investigation as applicant has not been implicated under the provisions of I. T. Act. 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 28.01.2025, 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 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-Alishad, be enlarged on bail in Case Crime No. 284 of 2024, under Sections 376, 323, 504, 506 I.P.C., Police Station-Bilariaganj, District- Azamgarh, 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.