



2026:AHC-LKO:20133

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 444 of 2026**

Ravishankar

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Dheeraj Awasthi, Shailendra Kumar
Mishra

Counsel for Opposite Party(s) : G.A., Anurag Trivedi, Shyam Shankar
Upadhyay

Court No. - 13

HON'BLE SAURABH LAVANIA, J.

1. Heard the learned counsel for the applicant, Shri Anurag Trivedi and Shri Shyam Shankar Upadhyay, learned counsel for side opposite as well as the learned AGA for the State of U.P. and perused the material placed on record.

2. The present anticipatory bail application has been filed by the applicant in relation to FIR/Case Crime No.30 of 2026, under Sections 64, 351(3) Bharatiya Nyaya Sanhita, 2023 (in short "B.N.S."), Police Station- Dahi, District- Unnao.

3. Vide order dated 11.03.2026, this Court had protected the interest of the applicant. The order dated 11.03.2026, referred, reads as under:-

"1. Heard learned Counsel for the applicant, Sri Jugal Kishore, learned A.G.A. and Sri Anurag Dwivedi and Sri Shyam Shanker, learned Advocates, who appeared on behalf of victim and filed the Vakalatnama, which is taken on record.

2. The present anticipatory bail application has been filed by the applicant in relation to FIR/Case Crime No. 30 of 2026, under Sections 64, 351(3) Bharatiya Nyaya Sanhita, 2023 (in short "B.N.S."), Police Station- Dahi, District- Unnao.

3. For the purposes of entertaining the present application and protecting the interest of the applicant, this Court considered the facts as pointed out by the counsel for the parties including the following:-

(i) According to the FIR lodged by preferring an application dated 11.09.2025 in terms of Section 173(4) Cr.P.C., the applicant established physical relations forcefully in the house of the victim and also made a obscene video and took photographs of the victim.

(ii) After the aforesaid alleged crime committed by the applicant on 07.02.2025, the victim for the first time preferred an application dated 11.09.2025 before the Superintendent of Police, Unnao and immediately thereafter on 12.09.2025 also made an online complaint to the Hon'ble Chief Minister of the State and thereafter on 08.10.2025 the victim preferred an application in terms of Section 173(4) BNS. Thus, after huge delay of about 7 months the victim awoke and this delay itself speaks that with oblique motive the allegations have been levelled against the applicant.

(iii) The applicant on the date of alleged incident i.e. 07.02.2025 was about 19 years and victim was about 21 years old.

(iv) Medical opinion on record, annexed as Annexure No.5, does not support the story of prosecution.

(v) According to the victim before the Investigating Officer (in short 'I.O.') stated that incident occurred on 07.02.2025 and before the Magistrate victim stated that incident occurred on 07.07.2025, which could be a typographical mistake.

4. It is further stated that Annexure No.7 (copy of notary agreement), though not a proof of marriage, but it indicates that victim and applicant were in contact/relationship and FIR has been lodged just to create pressure upon the applicant to continue the said relationship.

5. This Court also considered the observations made by Hon'ble Apex Court passed in the case of *Deepak Kumar Sahu Versus State of Chhattisgarh*; (2025 INSC 929), according to which if the victim is an sterling witness then in absence of medical evidence, the judgment of conviction can be passed.

6. Upon due consideration, this Court finds that the applicant is entitled to interim protection.

7. Accordingly, as an interim measure, it is provided that in the event of arrest, the accused-applicant- Ravishankar be released forthwith in the aforesaid case crime (*supra*) on anticipatory bail on furnishing a personal of Rs. 25,000/- and two sureties, out of which one shall be the family member of the accused-applicant, each in the like amount to the satisfaction of Station House Officer of the Police Station concerned with the following conditions:-

(i) That the accused-applicant shall make himself available for interrogation by police authorities as and when required and will cooperate with the investigation;

(ii) That the accused-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 him from disclosing such facts to the court or to any police officer; and

(iii) That the accused-applicant shall not leave India without the previous permission of

the Court.

8. Learned Counsel for the side opposite prays for and is granted one week and no more time to file response to the present application.

9. List/put up this application on 19.03.2026 within top twenty cases.

10. It is made clear that in case learned counsel for the opposite party No.2 fails to appear on the next date, case would not be adjourned on any ground including the ground of illness and the court would proceed to decide the case on its merits."

4. The learned counsel appearing for the prosecution could not demonstrate from the record that there is any adversarial fact which are pleaded in the bail application. This Court finds that the applicant was enlarged on anticipatory bail after considering the merits of the case. The learned counsel for the prosecution also could not point out any fact based upon which it can be inferred that the applicant has not cooperated with the investigation proceedings or otherwise any glaring fact which can adversely affect the merit of the case.

5. In view of the aforesaid, the present anticipatory bail application is hereby **allowed** while extending anticipatory bail to the applicant-**Ravishankar** till disposal of the trial subject to the following conditions:-

(i) that the applicant shall make himself available for interrogation by a police officer as and when required;

(ii) that 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 him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(iii) that the applicant shall not leave India without the previous permission of the court;

(iv) that the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted; and

(v) that the applicant shall not pressurize/intimidate the prosecution witness.

6. In case of default, it would be open for the Investigating Agency to move application for vacation of this order.

(Saurabh Lavania,J.)

March 19, 2026

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