



2026:AHC:26629

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 248 of 2026

Golu Pal Alias Pramod

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Atharva Dixit, Roshni Murad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 3

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Vakalatnama filed by Shri Irshad Husain on behalf of informant is taken on record.

2. Heard learned counsel for the applicant, learned A.G.A. for the State as well as Shri Irshad Husain, learned counsel appearing for the informant and perused the material brought on record.

3. Learned counsel for the applicant submits that applicant is named in the F.I.R. In the F.I.R. the informant alleges that on the date of occurrence, when his daughter went outside the house to ease herself both the named accused after gauging her took her away and committed wrong with her on account of which she is now having pregnancy of three months. In her statement recorded under Section 180 BNSS the victim has made allegation of rape against both the named accused including the applicant, whereas in her statement recorded under Section 183 BNSS while making allegation of rape against both the accused including the applicant she has also made allegation of rape against four other persons. In her medical examination no external or internal injury was found on the person of the victim. There are material contradictions in both the statements of the victim, thus, it appears that applicant has been falsely implicated in the case. 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 29.08.2025, with no criminal history.

4. 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.

5. 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.

6. Let the applicant-Golu Pal Alias Pramod, be enlarged on bail in Case Crime No. 422 of 2025, under Sections 64(2)M, 65(1), 70(2) of B.N.S. and Section 5L/6, 5J(ii)/6, 5g/6, 3/4(2) of Protection of Children From Sexual Offences Act, Police Station- Chaubeypur, District- Varanasi, 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.

7. 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 5, 2026

Mustaqeem.