



2026:AHC:65742

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9359 of 2026

Mohd Aman

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Saurabh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Saurabh Kumar, learned counsel for the applicant, Sri Dinesh Kumar Tripathi, learned counsel for the first informant and Sri V.P. Singh, learned A.G.A. for the State-respondents and perused the record.

2. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant Mohd. Aman, with a prayer to release him on bail in Case Crime No. 05 of 2026, under Sections 352, 351(3), 75(2), 308(2) of BNS and Section 76-B I.T. Act, and Section 7/8 of POCSO Act, Police Station Railway road, District Meerut during pendency of the trial.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is contended by learned counsel for the applicant that the maximum punishment which can be imposed on conviction is 7 years and the applicant has been languishing in jail since 20.01.2026. It is further submitted the no obscene chats have been recovered during investigation. It is further submitted that applicant has no criminal history and as per the FIR the applicant is said to have sexually harassed the victim.

4. On the other hand learned counsel for the first informant has opposed the prayer for bail and it has been submitted by him that applicant has created a fake ID of the victim and has indulged in obscene chatting and the said chat is said to have been made viral. However, learned A.G.A.

has also opposed the prayer for grant of bail and submit that as per his instructions no obscene chats have been found, some abusive chats are said to have been found. The applicant has been languishing in jail since 20.01.2026 and as per the FIR applicant is said to have sexually harassed the victim and some abusive chats between the applicants and victim are said to have been found.

5. The applicant has been languishing in jail since 20.01.2026 and the maximum punishment which can be imposed on conviction is 7 years It is further submitted the no obscene chat has been recovered during investigation. It is further submitted that applicant has no criminal history and as per the FIR the applicant is said to have sexually harassed the victim. The applicant shall not contact the victim in any way and he will not threatened/intimidate her.

6. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

7. Let the applicant- **Mohd Aman** involved in the aforesaid case crime shall be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned :-

(i) 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 from disclosing such facts to the court or to any police officer or tamper with the evidence.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of B.N.S.S.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses

are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

March 26, 2026

Ashish/-

(Jitendra Kumar Sinha,J.)