



2026:AHC:27274

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 340 of 2026

Ashish Kumar

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Chandra Bhushan Prasad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 3

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Shri Manoj Kumar Dhuriya, Advocate, has filed his vakalatnama on behalf of informant, which is taken on record.

2. Heard Shri Chandra Bhushan Prasad, learned counsel for the applicant, learned A.G.A. for the State as well as Shri Manoj Kumar Dhuriya, learned counsel for the informant and perused the material brought on record.

3. Learned counsel for the applicant submits that the FIR was lodged by the informant with the allegation that applicant had enticed away his daughter. In her statement recorded under Sections 180 BNSS the victim states that on the date of occurrence she went on own to Azamgarh and lived at the railway station, whereas in her statement recorded under Section 183 BNSS the victim states that on the date of occurrence she went on her own with the applicant, she had solemnized marriage with him and physical relations were made between them on her own consent, thus, she was a consenting party. Learned counsel further submits that applicant is still ready to marry the victim if she has no objection, therefore, he may be enlarged on bail. The applicant is in jail since 05.07.2025, with no criminal history.

4. Learned counsel for the informant submits that the victim is also ready to solemnize marriage with the applicant and he has no objection. However, he stated that some condition may be imposed upon the applicant so that he cannot run away from the said marriage after his release.

5. Learned A.G.A. for the State has also no objection to the prayer made on behalf of applicant.

6. Considering the overall facts and circumstances, the nature of allegations, gravity of offence and considering the fact that both the

applicant are ready to solemnize marriage with each other, without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

7. Let the applicant-Ashish Kumar, be enlarged on bail in Case Crime No. 127 of 2025, under Sections 137(2), 87, 64 of B.N.S. and Section 5j(ii)/6 of Protection of Children From Sexual Offences Act, Police Station-Tarwa, 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 solemnize marriage with the victim within one month of his release.
- ii) 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.

8. In failure to comply this order, the victim shall be at liberty to move appropriate application for cancellation of bail granted to the applicant.

(Dr. Gautam Chowdhary,J.)

February 6, 2026

Mustaqeem.