



2026:AHC:27900

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 3445 of 2026

Vishal

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Hanuman Deen
Counsel for Opposite Party(s)	:	G.A., Santosh Kumar Verma

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, Sri Santosh Kumar Verma, learned counsel for the informant, learned A.G.A for the State and perused the record.

2. Learned counsel for the applicant has contended that by the efflux of time, the deponent has talked the applicant with regard to solemnisation of his marriage with the victim and that the applicant has stated to her that he is her husband and the victim is pregnant. Learned counsel further contended that the applicant and the victim family including the victim are ready for solemnisation of marriage. He has also stated that the informant wants to withdraw the case against the applicant because the daughter of the informant is pregnant and applicant is the husband of the daughter of informant, which averments has also been stated in paragraph no.19 of the affidavit accompanying the bail application. Learned counsel thus argued that the applicant may be enlarged on bail. 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 applicant is languishing in jail since 05.12.2025.

3. Per contra, learned A.G.A. has 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. In case the applicant is released on bail he will misuse the liberty of bail.

4. Sri Santosh Kumar Verma, learned counsel for the informant did not dispute the submissions advanced by learned counsel for the informant. He further submits that he has no objection, in case, the applicant is enlarged on bail.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties, nature of evidence, and all attending facts and circumstances of the case, without expressing any opinion on merits of the case, this Court is of the view that the applicant has made out a case for bail. Hence the bail application is allowed.

6. Let applicant **Vishal** involved in Case Crime No.0203 of 2025 under Sections 137 (2), 87, 64(1) of B.N.S., and Section 5J(2)/6 POCSO Act, Police Station Mehdawal, District Sant Kabir Nagar, be released on bail on furnishing a personal bond and two heavy local sureties each of the like amount to the satisfaction of the court concerned subject to 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 an 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 breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

February 9, 2026

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