



2026:AHC:40332

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 5636 of 2026

Abdul Latif

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ram Shiromani Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Shri Anil Kumar Mishra, Advocate, has filed his memo of appearance on behalf of applicant, which is taken on record.
2. Shri Ashutosh Kumar Pandey, Advocate, has filed his vakalatnama on behalf of informant, which is also taken on record.
3. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.
4. Learned counsel for the applicant submits that applicant is absolutely innocent and has been falsely implicated in the present case. Learned counsel for the applicant further submits that though in the F.I.R. as well as in her statement recorded under Section 180 B.N.S.S. the victim has alleged that on the false pretext of marriage the applicant had established sexual relations with six months earlier. Learned counsel further submits that the victim is major woman aged about 25 years. There is an inordinate delay of six months in lodging of the F.I.R. The victim has never made complaint regarding her sexual assault earlier. It appears that consensual sexual relation was developed between them. No such video has been recovered during the course of investigation. In fact, no such incident took place and the applicant has been implicated in the case with false and frivolous allegations with malafide intention and due to ulterior motive. 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 22.12.2025, with no criminal history.

5. 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.

6. 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.

7. Let the applicant-Abdul Latif, be enlarged on bail in Case Crime No. 379 of 2025, under Sections 69, 351(3) of B.N.S., Police Station-Saiyedraja, District- Chandauli, 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.

8. 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 23, 2026

Mustaqeem.