



2026:AHC:40303

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 5639 of 2026

Rohit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Dr. Kamlesh Kumar, Rakesh Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.

2. Learned counsel for the applicant submits that applicant is named in the F.I.R. In the F.I.R. the victim alleges that applicant used to come into her house and used to give her money several times, he used to give some eatables and after eating the same she felt unconsciousness and after regaining her consciousness she felt that something had happened wrong with her, thereafter, he took money from her several times and when she asked for returning of her money, on 16.06.2025 the applicant brought some food from the market and when she ate the same she became unconscious, when she regained consciousness in the morning she found herself without clothes and the applicant told her that he had made her obscene video and by extending threats to viral such obscene video he used to blackmail her and had taken money from her several times. In her statements recorded under Section 180 & 183 BNSS she had supported the prosecution case. The victim had denied for her internal medical examination. The victim is a married woman aged about 45 years. The victim knew the applicant from earlier and both the applicant and the victim were in talking terms and transaction of money had also been taken place between them, thus, as per the prosecution version it appears that the dispute of money transaction had been given colour of sexual assault by the victim. Further, no such alleged video recovered during the course of investigation as the applicant has not been implicated under the provisions of I. T. Act. Thus, it has been argued that it is a false case of implication and the applicant has been implicated in the case with false and frivolous allegations due to ulterior motive and malafide intention. 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 15.12.2025, with no criminal history.

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.

4. 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.

5. Let the applicant-Rohit, be enlarged on bail in Case Crime No. 1059 of 2025, under Section 64, 123, 351(2) of B.N.S., Police Station- Khurja Nagar, District- Bulandshahr, 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.

6. 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.