



2026:AHC:38085

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 5687 of 2026

Anshu Alias Chinga

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Amit Kumar Yadav, Vimal Kumar Pandey

Counsel for Opposite Party(s) : G.A., Pawan Kumar Patel, Shashank Yadav

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. List revised. None appears on behalf of informant though name of two counsel is printed on behalf of informant.

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

3. Learned counsel for the applicant submits that there are three persons who are named in the F.I.R. including the applicant. In the F.I.R. the victim alleges that on 15.06.2025 at about 09:00 hours in the night when she was alone in her home, the applicant entered into the house of the informant and committed her rape forcibly, he also made video clip and photographs of the alleged incident, thereafter, on the threats of making such video clip viral he committed her rape several times, on 02.08.2025 the applicant also committed her rape forcibly, thereafter, again on 12.08.2025 the other two named accused and one unknown accused, named in the F.I.R. also committed her rape. Learned counsel for the applicant submits that though the victim in her statements recorded under Section 180 & 183 BNSS has reiterated version of the F.I.R., as per the prosecution case the first incident took place on 15.06.2025 and the last incident took place on 12.08.2025, but she had not made any such complaint earlier. Learned counsel further submits that this Court while granting bail to one named accused, Mulayam Singh alias Bhikka, against whom there is also allegation of rape, has already been granted bail while observing that as per prosecution version the main allegation is against the present applicant and the case of the present applicant was distinguished from the case of said co-accused, Mulayam Singh alias Bhikka. Learned counsel further submits that since no such video was either recovered or got viral as the applicant has not been prosecuted under the provisions of I. T. Act and two other accused, therefore, applicant may also be enlarged on bail as two other accused, namely, Mulayam Singh alias Bhikka and Saurabh @ Saurabh Singh, who were also having allegation of rape committed upon the victim have already been enlarged on bail by this Court. 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 25.08.2025, with no criminal history.

4. 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.

5. Considering the overall facts and circumstances, the nature of allegations, the gravity of offence and considering the fact that no such video was either recovered or got viral and having same set of allegation and evidence two other accused, Mulayam Singh alias Bhikka and Saurabh @ Saurabh Singh, have already been enlarged on bail by this Court, without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

6. Let the applicant-Anshu Alias Chinga, be enlarged on bail in Case Crime No. 152 of 2025, under Sections 70(1), 115(2), 351(3), 333 of B.N.S., Police Station- Matsena, District- Firozabad, 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.

7. 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 18, 2026

Mustaqeem.