



2026:AHC:67306

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION
U/S 482 BNSS No. - 3074 of 2026

Keisar Ali

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashok Kumar Singh Bais
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicant; and learned A.G.A. for the State are present.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 341 of 2025, under Sections 69, 352, 351(3) of the B.N.S., 2023, Police Station – Bisauli, District Budaun, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial, as the applicant apprehends his arrest in the above mentioned case.
3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and seeks anticipatory bail on the following grounds :-
 - i. No offence under Section 69 of the B.N.S. is made out from the averments in the First Information Report (FIR).
 - ii. The victim has admitted to being in a romantic relationship with the applicant for a period of four years, and in such circumstances, the offence under Section 69 B.N.S., introduced on 1.7.2024, is not attracted.
 - iii. Mere refusal to marry does not amount to a false promise of marriage.
 - iv. The applicant has no criminal antecedents.
4. Learned A.G.A. has opposed the prayer for grant of

anticipatory bail, however, could not point out any criminal antecedents of the applicant.

5. I have considered the submissions made by the learned Counsel for the parties and perused the material on record.

6. The victim is stated to be twenty-three years of age. The applicant claims to be twenty-five years of age. It appears that the applicant and the victim were in a romantic relationship, and as per the FIR, it does not appear that the same was on a false promise of marriage. The applicant and the victim were both young and have voluntarily entered into a relationship. In the opinion of the Court, from the facts and circumstances, as appear, no offence under Section 69 of the B.N.S. is made out. The applicant is said to have now married another woman, and it appears that the allegations of making the video viral if the victim does not establish physical relations with the applicant have been made to give colour to the prosecution version and increase the gravity of the offence. An affidavit has also been sworn by the victim in which she states that she does not want any action to be taken against the accused persons in the present case. The applicant has no criminal antecedents.

7. The applicant claims that he is not the father of the child, and it is also claimed before the Sessions Court that he is willing to submit himself to a DNA test. However, this Court may not go into this submission made by the applicant as it is the domain of the investigating officer.

8. Taking into account all the above mentioned facts, and the lack of criminal antecedents of the applicant, I deem it appropriate to grant anticipatory bail to the applicant.

9. The anticipatory bail application of the applicant is **allowed**.

10. In the event of the arrest of the applicant- **Keisar Ali**, involved in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

- i. The applicant shall make himself available for interrogation by a police officer as and when required;
- ii. 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 him from disclosing such facts to the Court or to any police officer;

iii. The applicant shall not leave India without the previous permission of the Court;

iv. The applicant shall not pressurize/intimidate the prosecution witness;

11. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

12. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

March 31, 2026
Kushal

(Rajiv Lochan Shukla,J.)