



2026:AHC-LKO:19369

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 535 of 2026

Vimal @ Vimal Yadav

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko
And 4 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Harish Chandra Yadav, Durgesh Gupta
Counsel for Opposite Party(s) : G.A.

Court No. - 13

HON'BLE SAURABH LAVANIA, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State of U.P. and perused the record.
2. The present application has been filed on behalf of the applicant seeking bail in Case Crime No. 382 of 2025, under Sections- 127(2), 351(2), 70(2), 137(2) B.N.S., Section 5(g)/6 of the POCSO Act and Section 67 of IT Act and Section 3(2)(v) of SC/ST Act, Police Station-Sarojini Nagar, District-Lucknow.
3. The submissions of learned counsel for the applicant is that the applicant is an innocent person and he has falsely been implicated in the case.
4. It is further submitted that co-accused, namely Shubham Mishra, has already been enlarged on bail by this Hon'ble Court vide order dated 18.12.2025 passed in Criminal Misc. Bail Application No. 12564 of 2025 and another co-accused, namely Piyush Shukla, has also been granted bail by this Hon'ble Court vide order dated 19.12.2025 passed in Bail Application No. 12620 of 2025.
5. It is further submitted that a perusal of the statement of the victim recorded under Section(s) 180 and 183 of B.N.S.S, indicates that the victim is a major. According to the FIR, the prosecutrix/victim came into contact with the applicant through Instagram and the same also indicates that the prosecutrix/victim on her own volition, accompanied the applicant and thereafter, the applicant established physical relations with her and that other

co-accused persons also established physical relations with her against her wishes, which story is incorrect as to support the same there is no medical evidence available with the prosecution.

6. It is further submitted that the informant had earlier lodged an FIR dated 27.06.2026 bearing No. 273 of 2023, at Police Station Lucknow South (Commissionerate Lucknow), making allegations against eight persons under Sections 147, 323, 354, 392, 452, 504, 506 BNS and Section 7/8 of POCSO Act. Thereafter, the informant again lodged another FIR dated 24.05.2025, bearing No. 0190 of 2025, at Police Station Sarojini Nagar, Lucknow, against unknown person, making therein to attract the offence under Section 137(2) BNS.

7. It is further submitted that in all the F.I.Rs the victim is the daughter of the informant. Thus, it can be inferred that the allegations levelled by the victim and the informant against the present applicant and other co-accused persons are false, concocted, and bogus, and have been levelled with an oblique motive including to extract money from the State exchequer.

8. It is further submitted that in the facts aforesaid including the allegations levelled against the applicant the F.I.R in connection to which the present applicant having no criminal history is in jail since 17.12.2025, the applicant is entitled to be released on bail. In case of being enlarged on bail, he will not misuse the liberty of bail and will cooperate in trial and would also not influence the prosecution witnesses.

9. Learned A.G.A. opposed the prayer of the applicant. However, he could not dispute the above contentions made by the applicant's counsel.

10. Considering the arguments advanced by the learned counsel for the applicant, learned A.G.A. and going through the contents of the application, F.I.R., as well as other relevant documents and also taking note that two co-accused persons, named above have already been granted bail and without going into the merits of the case, this Court is of the view that the application has substance and it is accordingly, **allowed**.

11. Let the applicant- **Vimal @ Vimal Yadav** be released on bail in the aforesaid case crime number on his furnishing personal bond of Rs. 25,000/- and two reliable sureties (one of family member) each of the like amount to the satisfaction of the court concerned subject to following conditions :-

- (i) The applicant will cooperate with the prosecution during trial.
- (ii) The applicant will not tamper with the evidence during trial.
- (iii) The applicant will not pressurize/intimidate the prosecution witness(es).
- (iv) The applicant shall not commit an offence.
- (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 him from disclosing such facts to the court or to any police officer or tamper with the evidence.
- (vi) The applicant shall remain present before the trial court on each date fixed, either personally or through counsel.
- (vii) The applicant will not seek any adjournment on the dates fixed for evidence when the witnesses are present in court.
- (viii) The applicant shall remain present, in person, before the trial court on the dates fixed for recording of statement under Section 313 Cr.P.C.

12. In case of default of above conditions it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

13. As this order relates to enlargement of the applicant on bail, it is clarified that observations made in this order shall have no bearing on the merits of the case and the trial court shall not be influenced by any observation made in this order.

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(Saurabh Lavania,J.)

March 17, 2026
Preeti