



2026:AHC-LKO:20676

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 2067 of 2026

Bidyut Biswas Urf Neelsen Visvas

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashish Shukla, O.P. Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE MANISH KUMAR, J.

1. Ms. Vina Gupta, Advocate has put in appearance and has filed her vakalatnama on behalf of the complainant, which is taken on record.

2. Heard learned counsel for the applicant and learned AGA for the State and the Counsel for the complainant/informant.

3. By means of this application preferred under Section 483 BNSS, the applicant, who is involved in Case Crime No. 882 of 2025, under Sections 64(1), 352, 351(2), 61(2) B.N.S. (similar to Sections 376, 504, 506, 120-B IPC), Police Station- Kotwali, District Unnao is seeking enlargement on bail during the trial.

4. Brief facts of the present case are that an FIR dated 07.10.2025 has been lodged under Sections 64(1), 352, 351(2), 61(2) B.N.S., 2023 against four named accused persons including the present applicant. In the FIR, it has been alleged that the co-accused namely Sameer Shah had forcibly made physical relationship and recorded the same and by threatening the complainant to make the video viral. After that, the co-accused Sameer Shah had also given false promise of marriage. The present accused Bidyut Biswas Urf Neelsen Visvas, the mother and sister of co-accused Sameer Shah are partners to the crime committed by Sameer Shah. The present applicant through different IDs on instagram started sending messages to the informant and threatened her to make the video viral.

5. Learned counsel for the applicant has submitted that the main allegations of offences under Sections 64(1), 352, 351(2), 61(2) are against the co-accused Sameer Shah and the against the present applicant, the allegation is that he used to send messages through different IDs on instragram to the complainant and threatened her to make the video viral.

6. It is further submitted that during the investigation, the informant/alleged

victim had not provided any message alleged to have been sent by the applicant to her and in support of his submission, learned counsel for the applicant has drawn the attention of this Court to the statement given by the informant under Section 180 BNSS whereby the police has asked to provide any video or screen shot, she had replied that it is not available with her.

7. It is further submitted that though the main allegation of outraging the modesty and false promise of marriage is against the co-accused but the same is not corroborated with the medical evidence i.e. the ocular evidence does not corroborate with the medical evidence.

8. It is further submitted that neither in the FIR nor in the application moved under Section 173(4) BNSS [Section 156(3) Cr.P.C.] before the Magistrate, any such allegation of videography made by the applicant was ever made and it was for the first time made in the statement given under Section 180 BNSS by improvising the case.

9. The applicant has falsely been implicated in the present case otherwise he has no criminal history. He is in jail since 23.01.2026.

10. On the other hand, learned AGA on the basis of instructions and case diary received and Ms. Vina Gupta, learned counsel for the informant have submitted that the applicant is involved in the case and he has fully liable for commission of the offence but unable to dispute the submissions made by learned counsel for the applicant.

11. After hearing learned counsel for the respective parties and going through the record of the case, prima facie, it is found that the allegation of an offence under Section 64(1), 352, 351(2), 61(2) BNS is mainly against the co-accused- Sameer Shah and the allegation of threatening the informant by the present applicant by using different IDs, for that there is no evidence found by the police against the applicant as it was not provided by the informant during the investigation, thus, prima facie, it is found that it is a fit case in which the applicant may be enlarged on bail.

12. Accordingly, the instant bail application is allowed.

13. Let the applicant-Bidyut Biswas Urf Neelsen Visvas be released on bail in the aforesaid case crime number on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the 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.

14. 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.

15. 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 observations made in this order.

(Manish Kumar,J.)

March 23, 2026

Nitesh