



2026:AHC-LKO:22566

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 10704 of 2025

Akleem

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s) : Manjusha Kapil, Dinesh Kr.
Chaudhary, Rohit Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 28

HON'BLE RAJEEV BHARTI, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. This is first bail application filed on behalf of the applicant who is involved in Case Crime No.172 of 2025, under Sections 308(5), 75, 115(2), 352, 351(3) BNS and Section 5(1) of the U.P. Prohibition of Unlawful Conversion of Religion Act, Police Station Pachperwa, District Balrampur.
3. Learned counsel for the applicant submits that in the investigation conducted by the investigating officer, no call details of the victim's phone number or any photos of the victim could be recovered from the applicant's phone, as such the story made by the informant that the applicant used to call the victim or blackmailing her is proven to be false. There is no independent witness to the incident reported by the victim and her husband rather the true story is that the accused asked for Rs.25,000/- given to the informant's husband on 29.8.2025 upon which the victim's husband became aggressive and alongwith another person, both of them severely beaten the applicant causing significant injuries to the applicant.

4. Learned counsel for the applicant submitted that the applicant is in jail since 1.9.2025 having no criminal history. It is further submitted that the trial is unlikely to be concluded in near future. Hence, the applicant may be enlarged on bail.

5. Learned A.G.A. however vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances particularly the fact that the trial is unlikely to be concluded in near future coupled with the fact that the applicant is in jail since 1.9.2025 having no criminal history, without entering into the merits of the case, I am of the view that the applicant is entitled to be enlarged on bail.

7. Accordingly, the bail application is ***allowed***.

8. Let the applicant - ***Akleem*** be released on bail in FIR/ Case Crime No.172 of 2025 (supra) on his furnishing personal bonds with ***two heavy sureties*** and two reliable sureties each to the satisfaction of the court concerned with the following conditions :-

(i) The appellant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

ii) The applicant shall refrain from directly or indirectly inducing, threatening, or promising any person familiar with the facts of the case in a manner that may dissuade him from revealing such facts before the Court or result in tampering with the evidence;

(iii) The appellant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 229-A of the Indian Penal Code.

(iv) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 174-A of the Indian Penal Code.

(v) The appellant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

Any other condition(s) which the trial court/concerned court may deem fit and proper, in the circumstances of the case, may also be imposed.

9. It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

March 31, 2026
Shukla

(Rajeev Bharti,J.)