



2026:AHC:16703

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 43796 of 2025

Gunja Kumari And Another

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Aman Patel, Neeraj Singh Yadav, Roli
Dubey

Counsel for Opposite Party(s) : G.A., Sanjay Shukla

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Neeraj Singh Yadav, learned counsel for the applicant, Shri Yagvalk Pandey, learned AGA for the State, Shri Sanjay Shukla, learned counsel for the first informant and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicants, Gunja Kumari and Ranju Devi, seeking enlargement on bail in Case Crime No. 538 of 2025, under Sections 137 (2), 96 of BNS, Section 17/18 of POCSO Act, Police Station Cantt., District Gorakhpur, during the pendency of the trial before the Court below.

Learned counsel for the applicants argued that the accused-applicants are innocent. They have been falsely implicated in this very case crime number and are languishing in jail since 10.10.2025. Learned counsel for the applicants submits that victim in her statements recorded under Sections 180 and 183 BNSS has not levelled any allegation against the applicant. Rather said, that she solemnized marriage with co-accused Vivek. They have no criminal antecedent and there is no likelihood of their fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Learned counsel for the informant as well as learned AGA has vehemently opposed the prayer for bail.

Considering all above facts and circumstances, the nature of accusations,

severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness, period of incarceration as well as mandate of the 1st Proviso of Section 480 (1) B.N.S.S. and prima facie case, but without commenting on merit of case, a case for bail is made out.

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

Let the accused-applicants, **Gunja Kumari and Ranju Devi**, involved in above mentioned case crime number be released on bail on her executing a personal bond and two reliable sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel her bail.

(Ashutosh Srivastava,J.)

January 22, 2026
Ravi Prakash