



2026:AHC:15298

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44275 of 2025

Intezar

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sandeep Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Sandeep Kumar Srivastava, learned counsel for the applicant and Shri Yagyavalka Pandey, learned A.G.A. representing the State respondents.

This bail application under Section 483 B.N.S.S. has been moved on behalf of accused-applicant, Intezar, seeking enlargement on bail in Case Crime No. 169 of 2025, under Sections- 74, 126 (1), 109 (1) BNS & 7/8 of POCSO Act, Police Station-Kailadevi, District-Sambhal, during pendency of trial.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 30.10.2025. First Information Report has been lodged on 29.10.2025, with the allegation that on the date of incident the applicant tried to molest the victim while she was returning from the school and tried to kill her by pushing neck and on hue and cry made by the victim the applicant was apprehended on the spot. Learned counsel for the applicant submits that the real fact is that it is a simple case of accident and after hot talk he has been falsely implicated in the present case by the first informant. Learned counsel for the applicant further submits that there is contradiction in the statement of the victim under Section 180 and 183 BNSS. After arguing at some length learned counsel for the applicant submits that in the present case charge sheet has been filed on 04.11.2025 and there is no need of further custodial interrogation of the applicant. The applicant has no criminal antecedent and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has

been prayed for.

Learned learned AGA has vehemently opposed, but could not dispute the fact that applicant has no criminal antecedents.

Considering all those 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 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-applicant, **Intezar**, involved in above mentioned case crime number be released on bail, on his 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 his bail.

(Ashutosh Srivastava,J.)

January 21, 2026

Deepak/