



2026:AHC:33156

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 486 of 2026

Rukhsana

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Arvind Kumar Gupta, Syed Irfan Ali
Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.
3. Learned counsel for the applicant submits that applicant is not named in the F.I.R. In the F.I.R. the informant alleges that previous day one co-accused, Amanullah, had enticed away his sister aged about 30 years and two other named accused are accomplices in the said incident. When the victim was recovered her statement under Sections 180 & 183 BNSS were recorded wherein she states that on the date of occurrence the applicant came to take her for market, but in spite of that, the named accused, Amanullah, took her to Nepal, wherein in a hotel he established sexual relations with her forcibly, he also pressurized her to change her faith along with other accused, including the applicant. Learned counsel further submits that as per both the statements the only allegation against the applicant is that she along with other accused, had exerted pressure upon the victim to change his religion. It has been argued that applicant has been implicated in the case with false and frivolous allegations with malafide intention and ulterior motive. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been mentioned. It has also been assured on behalf of the applicant that she is ready to cooperate with the process of law and shall faithfully make herself available before the court whenever required and is also ready to accept all the conditions which the Court may deem fit to impose upon her. He next submits that the applicant is in jail since 27.11.2025, with no criminal history.
4. Per contra, learned A.G.A. has opposed the prayer for bail of the applicant by contending that innocence of the applicant cannot be

adjudged at pre trial stage, therefore, she does not deserve any indulgence.

5. Considering the overall facts and circumstances, the nature of allegations, the gravity of offence and without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

6. Let the applicant-Rukhsana, be enlarged on bail in Case Crime No. 272 of 2025, under Sections 87, 61(2), 64(1), 351(3), 352 of B.N.S., Police Station- Bhitauli, District- Maharajganj, on executing a personal bond and furnishing two local sureties each in the like amount to the satisfaction of the court concerned with the following conditions:

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear on the date fixed by the trial court.
- iv) The applicant shall not commit any offence similar to the offence of which the applicant is accused, or suspected of the commission.
- 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 such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

7. In case of default of any of the conditions enumerated above, the court concerned shall be at liberty to cancel the bail of applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

February 13, 2026

Mustaqeem.