



2026:AHC:55130

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 3777 of 2026

Sanjeev Kumar Sagar

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

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

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. As per office report dated 10.3.2026, notice of the present bail application has been personally served upon the opposite party no.2/ informant. However, no one appears on behalf of the opposite party no.4 nor any counter affidavit has been filed on his behalf.

2. Heard learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and perused the record.

3. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 282 of 2025, under Sections 137(2), 65(1), 143 B.N.S., and under Section 3/4 POCSO Act, Police Station- Jahanabad, District- Pilibhit during pendency of the trial.

4. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. The incident is alleged to have occurred on 5.5.2025. The application under Section 173(4) B.N.S.S. for registration of first information report was filed on 20.5.2025. The first information report was lodged on 11.7.2025. The delay in filing the application under Section 173(4) B.N.S.S. is fatal to the prosecution case. The victim was recovered on

14.5.2025. Further, the victim is major. The age of the victim was incorrectly got registered in the school records by the victim's parents to give her advantage in life. There is no lawful basis for the age related entry of the victim in the school records. The victim in her statements under Sections 180 and 183 B.N.S.S. stated that about nine months ago the co-accused Umesh Bharti administered intoxicating substance to her under the pretext of giving her medicine for fever. The said fact has not been disclosed in the first information report. Further, placing reliance on the statements of the victim under Sections 180 and 183 B.N.S.S. it is contended that the victim was taken to Bareilly and Bihar/Bengal by train but she did not raise any protest or alarm. The conduct of victim shows that she was a consenting party. The applicant is in jail since 11.7.2025 having no criminal history. In case he is enlarged on bail, he will not misuse the said liberty.

5. Learned A.G.A. for the State opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the application under Section 173(4) B.N.S.S. for registration of first information report was filed belatedly. The victim in her statements under Sections 180 and 183 B.N.S.S. stated that about nine months ago the co-accused Umesh Bharti administered intoxicating substance to her under the pretext of giving her medicine for fever. The said fact has not been disclosed in the first information report. The victim was taken to Bareilly and Bihar/Bengal by train but she did not raise any protest or alarm. The applicant has no criminal antecedents. Further, the applicant has presently remained confined for more than eight months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the

case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant, **Sanjeev Kumar Sagar** involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

March 18, 2026

S.S.

(Vivek Varma,J.)