



2026:AHC:32830

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 5354 of 2026

Talat Mehboob Sheikh @ Talab

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anchal Kumar Rao
Counsel for Opposite Party(s)	:	G.A., Vipul Kumar Singh

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Short counter affidavit filed on behalf of informant is taken on record.
2. Heard Shri Anchal Kumar Rao, learned counsel for the applicant, learned A.G.A. for the State as well as Shri Vipul Kumar Singh, learned counsel for the informant and perused the material brought on record.
3. Learned counsel for the applicant submits that the FIR was lodged by the informant with the allegation that applicant had flirted her daughter. In her statement recorded under Section 180 & 183 BNSS the victim states that on the date of occurrence when she went to the shop of applicant the committed obscene activity with her and committed wrong with her. Learned counsel further submits that in the medical examination of the victim no internal or external injury was seen on her person, her hymen was found intact and as per radiological report the victim was found 12 years of age. Thus, there is no evidence regarding commission of rape of the victim. The applicant is in jail since 19.11.2025, with no criminal history.
4. Learned counsel for the informant while drawing attention of the Court to para-4 of his counter affidavit submits that both the parties have entered into a compromise, as per which the informant does not want to prosecute the applicant in the present case. Thus, he has no objection in case applicant is enlarged on bail.
5. 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, he does not deserve any indulgence, but he could not dispute that as per the counter affidavit filed on behalf of informant the informant does not want to prosecute the applicant further.
6. Considering the overall facts and circumstances, the nature of allegations, gravity of offence and considering the fact that both the

applicant are ready to solemnize marriage with each other, without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

7. Let the applicant-Talat Mehboob Sheikh @ Talab, be enlarged on bail in Case Crime No. 241 of 2025, under Sections 74, 65(1) of B.N.S. and Section 5L/6 of Protection of Children From Sexual Offences Act, Police Station- Uruwa Bazar, District- Gorakhpur, 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.

8. 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.