



2026:AHC:40225

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 5410 of 2026

Ramshabad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Lal Behari Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.

2. Learned counsel for the applicant submits that in the F.I.R. the victim states that the applicant after making false promise of marriage, he established sexual relations with her for several years, thereafter, her marriage was also fixed with the applicant, but after some time the applicant and his family members refused to marry her and made demand of dowry. There is no date and time mentioned by the prosecution regarding first incident occurred with the victim. The victim was in relationship with the applicant for one year, but she has not made any complaint earlier about her sexual assault. There are material contradictions in the statements of the victim recorded under Section 180 & 193 BNSS. From the statements of mother and sister-in-law of the victim it appears that applicant the victim were living in relationship and whatever sexual relations were developed between them the same were consensual. Thus, it has been argued that it is a false case of implication and the applicant has been implicated in the case with false and frivolous allegations due to ulterior motive and malafide intention. 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 he is ready to cooperate with the process of law and shall faithfully make himself available before the court whenever required and is also ready to accept all the conditions which the Court may deem fit to impose upon him. He next submits that the applicant is in jail since 23.12.2025, with no criminal history.

3. Per contra, learned A.G.A. has opposed the prayer for bail of the applicant by contending that the innocence of the applicant cannot be adjudged at pre trial stage, therefore, he does not deserve any indulgence.

4. 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.

5. Let the applicant-Ramshabad, be enlarged on bail in Case Crime No. 307 of 2025, under Section 376(2)(n) I.P.C., Police Station- Madhuban, District- Mau, 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.

6. 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 23, 2026

Mustaqeem.