



2026:AHC-LKO:21511

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL REVISION No. - 222 of 2026

Revisionist Minor A Through His Natural Guardian

.....Revisionist(s)

Versus

State Of U.P. Through Principal Secretary Home And
Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Avinash Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE MANISH KUMAR, J.

1. Heard learned counsel for the revisionist/applicant as well as learned A.G.A for the State and perused the record.
2. The present criminal revision under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015, has been preferred against the impugned judgment and order dated 31.01.2026 passed by the Court of Juvenile Court/Special Judge, POCSO Act/Additional Sessions Judge, Pratapgarh in Criminal Appeal No. 10 of 2026, by which the criminal appeal filed by the revisionist has been rejected as well as against the order dated 08.09.2025 passed by the Juvenile Justice Board, Pratapgarh in Case Crime No. 89 of 2025, under Sections 376-D, 342, 365 and 506 IPC at Police Station Jethwara, District Pratapgarh.
3. As per the prosecution story in the F.I.R dated 30.04.2025, on 13.06.2024, co-accused Mahendra Yadav forcibly took the informant on his motorcycle to an isolated place near Village Kalyanpur and outraged her modesty. Thereafter, he took her to Prayagraj and handed her over to the present applicant i.e. Atul Yadav. It is further alleged the applicant forcibly took the informant to Ahmedabad, where after two days, Mahendra Yadav also reached and in the room of one Bharat Yadav, all the three accused persons outraged the modesty of the informant. On 21.06.2024, the accused persons left the informant at her village.
4. Learned counsel for the applicant has submitted that the FIR has been lodged with an inordinate and unexplained delay of about 10 months as the alleged incident took place between 13.06.2024 to 21.06.2024, whereas the FIR was lodged on 30.04.2025. It is further submitted that no injury has been

found in the medical examination conducted after lodging of the FIR. It is also contended that the applicant has been falsely implicated in the present case, he has no criminal history and he is in jail since 11.11.2025.

5. Learned counsel for the revisionist/applicant further submitted that as per the FIR and statements of the prosecutrix, she travelled along with co-accused Mahendra Yadav from her coaching thereafter to Prayagraj and then to Ahmedabad along with the applicant and, despite being a major lady of 24 years of age, she did not raise any alarm enroute and lodge any complaint for a period of about 10 months. Even after reaching her village on 21.06.2024, she did not immediately file any complaint or undergo medical examination.

6. It is further submitted that co-accused Mahendra Yadav, against whom more serious allegations are levelled, has already been granted bail by this Court vide order dated 26.11.2025 in Criminal Misc. Bail Application No. 7000 of 2025. The allegations against the co-accused are similar, rather more severe than those against the present applicant/revisionist therefore, the applicant is entitled to be released on bail on the ground of parity.

7. Per contra, learned A.G.A., on the basis of instructions received, has vehemently opposed the revision and submitted that as per allegations made in the FIR and the statements recorded under Sections 180 and 183 of the Bharatiya Nyaya Sanhita (B.N.S.S) prima facie, case against the applicant is made out. However, he does not dispute the fact that the FIR has been lodged with a delay of more than 10 months, nor he could dispute the fact that co-accused Mahendra Yadav has already been granted bail.

8. After hearing learned counsel for the parties and perusing the record, it appears that the bail application was rejected mainly on the ground that the applicant is a juvenile and his release may adversely affect his future, completely ignoring the fact that the informant was about 24 years of age and the applicant was approximately 17 years of age at the time of the alleged incident, the fact that the F.I.R has been lodged after a considerable delay of more than 10 months despite the fact that the informant reached her village on 21.06.2024; considering the entirety of facts and circumstances of the case, including the unexplained delay in lodging the FIR, absence of injuries in the medical report, the conduct of the prosecutrix, and the fact that the co-accused Mahendra Yadav has already been granted bail on similar and more serious allegations, I find force in the revision.

9. Accordingly, the revision is **allowed**.

10. The impugned orders dated 31.01.2026 and 08.09.2025 passed by the Court of Juvenile Court/Special Judge, POCSO Act/Additional Sessions

Judge, Pratapgarh and Juvenile Justice Board, Pratapgarh respectively are hereby set aside.

11. Let the applicant- ***Revisionist Minor A Through His Natural Guardian*** be enlarged on bail, in the above mentioned case on executing a personal bond by his natural guardian with two reliable sureties in the like amount to the satisfaction of the Court/Board concerned and on submission of undertaking on affidavit by his natural guardian that he/she will take due care of the juvenile, will not allow him to indulge in any unlawful or criminal activity or join the company of unlawful elements, will keep him under strict control, shall not attempt or tamper with the evidence or threaten the witnesses, shall not seek any adjournment on the date fixed for evidence, shall remain present before the trial Court on each date fixed either personally or through her counsel, failing which, the order of bail granted to Revisionist/Juvenile may be cancelled.

12. For a period of one year from today, the Juvenile/Revisionist shall appear before the District Probation Officer concerned along with his natural guardian on 10th of every month.

March 25, 2026
DiVYa

(Manish Kumar,J.)