



2026:AHC:125922

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 17735 of 2026

Raj Kumar

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mohammad Aon, Mohd. Amir
Counsel for Opposite Party(s)	:	G.A.

Court No. - 7

HON'BLE JAI PRAKASH TIWARI, J.

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

2. The applicant is involved in Case Crime No. 60 of 2026, under Sections 74, 352, 351(3) of BNS, 3(2) (v-a) of SC/ST Act and Section 7/8, 9L, 90, 9P/10 Protection of Children From Sexual Offences Act, 2012, Police Station Hafizpur, District Hapur.

3. It is alleged in the FIR that on 04.04.2026, when the prosecutrix had gone to her school to collect her examination result, the applicant, who is stated to be the Principal of the school, misbehaved with her, attempted to outrage her modesty, and tried to remove her clothes. It is further alleged that the prosecutrix somehow managed to escape from the spot and immediately narrated the incident to her father. Upon hearing the said allegations, the informant went to the school, where an altercation also took place between him and the applicant, during which abusive and indecent behaviour is alleged on the part of the applicant.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated and that the allegations are exaggerated and not supported by independent material. It is further submitted that the applicant is a responsible citizen, serving as a school principal, having roots in society, and there is no likelihood of his absconding or tampering with evidence. It is also contended that custodial

interrogation is not required.

5. Learned Additional Government Advocate opposes the bail application and submits that the allegations are grave in nature, involving a minor student and misconduct by a person in a position of authority, and therefore the applicant does not deserve the concession of bail.

6. The Court has considered the submissions of both sides and has perused the material placed on record. At this stage, the Court is only required to form a prima facie view for the purpose of deciding the bail application and is not expected to conduct a detailed examination of evidence.

7. The allegations levelled are undoubtedly serious in nature. However, the settled principle of criminal jurisprudence is that bail is the rule and jail is the exception, subject to the facts and circumstances of each case. The applicant is stated to be in custody since the date of arrest, investigation appears to be substantially complete, and there is no specific material to indicate that further custodial interrogation is required at this stage.

8. Considering the totality of facts and circumstances, the period of custody undergone, the nature of allegations, and without expressing any opinion on the merits of the case, this Court is of the view that the applicant is entitled to be released on bail, subject to stringent conditions to ensure his presence during trial and to safeguard the interest of justice. Accordingly, the bail application is allowed.

9. The applicant Raj Kumar is directed to be released on regular bail in the aforesaid case on furnishing a personal bond with two sureties of the like amount to the satisfaction of the court concerned subject to the following conditions:-

1. The applicant shall not directly or indirectly contact, influence, or threaten the prosecutrix or any witness.

2. The applicant shall not tamper with evidence or attempt to

influence the course of investigation or trial.

3. The applicant shall regularly appear before the Trial Court on each date of hearing unless exempted by the Court.

4. The applicant shall not leave the country without prior permission of the Court.

10. In case of violation of any condition, the prosecution shall be at liberty to seek cancellation of bail.

(Jai Prakash Tiwari,J.)

June 5, 2026

Neetu