



2026:AHC:23718

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 3726 of 2026

Manoj

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Adarsh Kumar Bajpai, Rajendra Pratap Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 3

HON'BLE DR. GAUTAM CHOWDHARY, J.

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

2. Learned counsel for the applicant submits that the F.I.R. dated 18.11.2025 was lodged by the victim herself with the allegation that when on 25.08.2025 at about 4:00 a.m. she opened door of the house the applicant reached there and after falling her on the ground he committed her rape forcibly. It has also been stated by the victim in the F.I.R. that after commission of rape upon her the applicant threatened her to kill his son if he tells to anyone about the alleged incident, thereafter, due to fear she went to her parental home and now today she is lodging the F.I.R. In her statements recorded under Sections 180 & 183 BNSS the victim reiterates the version of F.I.R. Learned counsel further submits that the victim is a married woman aged about 45 years. The victim was also medically examined but no such corroborative evidence could come regarding her commission of rape as the victim was medically examined on 19.11.2025, i.e., after more than three months of the alleged incident. As per the prosecution case, the alleged incident took place on 25.08.2025 and the victim has lodged the F.I.R. on 18.11.2025, i.e., after more than three months, without any plausible explanation of delay. The explanation given by the victim regarding delay of such a period of three months in lodging of the F.I.R., that after the incident she went to her parental house due to threatening extended by the applicant, stands with no leg. Thus, it has been argued that it is a case of false 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 21.11.2025, 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-Manoj, be enlarged on bail in Case Crime No. 296 of 2025, under Section 64(1), 333, 351(3) of B.N.S., Police Station-Jakhaura, District- Lalitpur, 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 3, 2026

Mustaqeem.