



2026:AHC:125656

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 18720 of 2026**

Satyam Aadivasi @ Pinku

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Arvind Prabodh Dubey, Tanuj Shahi  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 4**

**HON'BLE ARUN KUMAR SINGH DESHWAL, J.**

1. Heard Sri Tanuj Shahi, learned counsel for the applicant, Sri DPS Chauhan, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 134 of 2025, under Sections 64(1), 331(6), 351(2) BNS, 2023, Police Station-Bara, District-Prayagraj, during the pendency of the trial.
3. Contention of learned counsel for the applicant is that in the F.I.R. allegation has been made that the applicant entered into the house of the first informant and committed rape upon her and, upon raising alarm, her sister-in-law and other family members came on the spot and rescued her and thereafter the accused escaped from the place of incident. It is further submitted that upon bare perusal of the statement of the sister-in-law of the victim as well as other eye-witnesses, it is clear that the physical relationship between the applicant and the first informant was consensual, as none of the eye-witnesses heard any alarm or cry of the victim and the correct fact is that, on hearing some noise, the sister-in-law of the victim as well as other neighbors came on the spot and started knocking on the door and only then the first informant opened the door and, just to save herself, falsely implicated the applicant. Even the medical examination of the victim does not support the story of rape.
4. It is further submitted that the applicant has no criminal history. It is further submitted that charge sheet has been filed in the present case,

therefore, there is no requirement of custodial interrogation. The applicant is a law abiding citizen and he is languishing in jail since 11.11.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. Per contra, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** as well as guideline of this Court in the case of **Maya Tiwari Vs. State of U.P., 2024 SCC Online All 6765** regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail. Accordingly, the present application is **allowed**.

7. Let the applicant-**Satyam Aadivasi @ Pinku**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.
- iv. The applicant shall attend in accordance with the conditions of the

bond executed by him.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

10. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **Jail Superintendent, Prayagraj** via e-mail or on e-prison portal and Trial Court via e-mode within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685** as well as **Pila Pahan@Peela Pahan and others Vs. State of Jharkhand and another, in Writ Petition (Criminal) No. 169 of 2025, decided on 29.05.2026.**

(Arun Kumar Singh Deshwal,J.)

**June 5, 2026**

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