



2026:AHC:129605

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 21134 of 2026

Mohd. Adil

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	: Shailendra Kumar Tripathi
Counsel for Opposite Party(s)	: Durgesh Kumar Pandey, G.A.

Court No. - 69

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, Learned A.G.A. for the State, Sri Durgesh Kumar Pandey, the Learned counsel for the informant 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.931 of 2025, under Sections 137(2), 65(1) B.N.S. 2023 and Section 3/4 of Protection of Children From Sexual Offences Acts, Police Station- Kannauj, District- Kannauj, during the pendency of trial.
3. The Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further contends that the applicant is in jail since 29.12.2025. The applicant has not committed any offence and he had never abducted the victim nor had committed rape upon her. The victim in her statement recorded before the trial Court had denied the entire prosecution version and has been declared hostile.
4. Sri Durgesh Kumar Pandey, the Learned counsel for the informant does not object to the release of the applicant on bail.
5. The Learned A.G.A., on the other hand, has opposed the prayer for grant of bail and has contended that the victim in her statement recorded under Section 183 BNSS has stated regarding establishing physical relations with the applicant, which clearly makes out a case against the applicant as she was minor aged about 13-14 years at the time of the

occurrence. The Learned A.G.A., however, could not point out any criminal antecedents of the applicant.

5. I have considered the submissions made by the Learned counsels for the parties.

6. A perusal of the statement of the victim recorded under Section 183 BNSS indicates that she was in love with the applicant. In her statement recorded before the trial Court, she has clearly denied the prosecution version and has been declared hostile. The applicant is in jail since 29.12.2025 and is not reported to have any criminal antecedents.

7. In view of the entire fact and circumstances of the case, a *prima facie* case for bail is made out.

8. The bail application is ***allowed***.

9. Let the accused-applicant- **Mohd. Adil** involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

i. The applicant will not tamper with the evidence.

ii. The applicant will not indulge in any criminal activity.

iii. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

iv. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted by the court concerned.

10. In the event of breach of any of the aforesaid conditions, the trial Court will be at liberty to proceed to cancel his bail.

11. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel

with the undertaking that the certified copy will be filed within 15 days.

12. 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.

13. The observations made hereinabove are exclusively for deciding the instant bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

June 30, 2026
Sachin