



2026:AHC:127335

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19800 of 2026

Aalok Raghav @ Ankush

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anees Baig
Counsel for Opposite Party(s)	:	G.A.

Court No. - 45

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard Sri Anees Baig, learned counsel for the applicant and the learned A.G.A. for the State of U.P.
2. Based on the police report dated 05.06.2026, it is submitted by the learned AGA that notice has been served upon the informant/opposite party no.2. Despite service of notice, no one appears to oppose this bail application.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.160 of 2026, under Section 137(2), 64 BNS and Section 3/4 POCSO Act, Police Station Kasganj, District Kasganj.
4. The prosecution claimed that the victim was 17 years of age at the time of alleged incident, however, as per report of the Chief Medical Officer dated 24.03.2026, the victim was about 18 years of age. The applicant was not nominated in the first information report and the same was lodged against unknown person. The victim admitted in her statement recorded under Section 183 BNSS that the applicant was her boyfriend and she stayed in the house of the applicant for three nights. The victim stated that the offence of rape was committed by the applicant in the presence of her mother, two sisters and one brother. The statement of the victim does not inspire much confidence to the prosecution case and she appears to be a consenting party. The victim left company of the applicant after three days and traveled to Haryana with another boy Karan. The case of the applicant is distinguishable from the case of the other co-accused. The applicant has been falsely implicated in the present case and a consensual relationship between two

adults have been wrongly and illegally converted into an offence of rape. The call detail record of the applicant and the victim makes it clear that they were in touch with each other prior to the alleged incident. There is no criminal history of the applicant. Learned counsel for applicant further submits that applicant has been languishing in jail since 23.03.2026 and in case, he is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

5. Per contra, learned A.G.A. has opposed the prayer for grant of bail to the applicant and submitted that there is ample evidence against the applicant regarding his involvement in the offence, therefore, he is not entitled to be released on bail.

6. I have considered the rival submissions of the parties and perused the record.

7. Having considered the rival submissions advanced by learned counsel for the parties, the nature of accusations, the evidence brought on record, the period of incarceration undergone by the applicant, the absence of any criminal antecedents, and without expressing any opinion on the merits of the case, this Court finds that the applicant has made out a case for grant of bail.

8. Accordingly, the bail application is **allowed**.

9. Let the applicant- **Aalok Raghav @ Ankush** who is involved in the aforementioned case 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 subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence,

without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC/ 269 B.N.S.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./ 84 B.N.S.S., may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC/ 209 B.N.S.

(iv) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./ 351 of B.N.S.S. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

11. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Vivek Kumar Singh,J.)

June 15, 2026

Nitendra