



2026:AHC:127163

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19755 of 2026

Mukesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Gaurav Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 46

HON'BLE GARIMA PRASHAD, J.

1. Heard learned counsel for the applicant and the learned AGA for the State.
2. The present bail application has been filed by the applicant in Case Crime No.27 of 2026, under Sections 70(1), 87, 127(2) and 351(3) BNS, Police Station Parasrampur, District Basti with the prayer to enlarge the applicant on bail.
3. I have perused the prosecution story as set up in the FIR and also the bail rejection order.
4. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case. He has contended that there are contradictions in the statements of the girl recorded under Sections 180 and 183 BNSS. In the statement recorded under Section 183 BNSS, she has made allegation of rape against Ajeet, Mukesh and Kali whereas in the statement recorded under Section under Section 180 BNSS, the allegation of rape has been made only against the present applicant Mukesh. He has next contended that co-accused Ajeet and Kali Prasad have already been granted bail by coordinate Bench of this Court in Criminal Bail Application Nos.13188 and 15695 of 2026 vide orders dated 22.04.2026

and 08.05.2026, respectively. He has also contended that since the co-accused have already been granted bail, the applicant is also entitled to be enlarged on bail on the ground of parity. The applicant is in jail since 25.01.2026. In case the applicant is enlarged on bail, he will not misuse the liberty of bail.

5. Learned A.G.A. has opposed the prayer for bail.

6. Considering the fact that co-accused namely Ajeet and Kali Prasad have already been enlarged on bail coupled with the contentions raised by the learned counsel for both the sides and without expressing any opinion on the merits of the case, at this stage, *prima facie*, a case for bail has been made out. However, the said *prima facie* view will not in any manner adversely affect the case of the prosecution in trial proceedings.

7. The prayer for bail is granted. The application is allowed.

8. Let the applicant Mukesh involved in the aforesaid crime be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned subject to the following conditions:

(i) The applicant shall not tamper with the prosecution evidence.

(ii) The applicant shall not pressurize the prosecution witnesses.

(iii) The applicant shall appear on the date fixed by the trial Court.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates 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.

(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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. In case of default of any of the conditions enumerated above, it is open to the opposite party to approach this Court for cancellation of bail.

(Garima Prashad,J.)

June 15, 2026

Kuldeep