



2026:AHC:127030

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 10554 of 2026

Ravi Kumar

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dhirendra Pratap Singh
Counsel for Opposite Party(s)	:	G.A., Ram Neta Singh

Court No. - 4

HON'BLE DR. GAUTAM CHOWDHARY, J.

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

2. Learned counsel for the applicant submits that this is the second bail application. His first bail application was dismissed as not pressed vide order dated 21.02.2026 passed in Criminal Misc. Bail Application No. 16848 of 2025. Learned counsel further submits that the F.I.R. was lodged by the mother of the victim with the allegation that on false promise of marriage the applicant by alluring her minor daughter aged about 16 years developed sexual relations with her and he also made viral of such video clip and photographs. The informant in her statement before the police has supported the prosecution case. Though the victim in her statements recorded under Sections 180 & 183 BNSS has made allegation of rape against the applicant but there are material contradictions in her both the statements. Further, from her both the statements of the victim recorded under Sections 180 & 183 BNSS it appears that she is a consenting party, as there were relations in between them and she also went with the applicant in a temple where he applied vermilion to the parting of hairs of the victim. Moreover, in the F.I.R. as well as in both the statements of the victim recorded under Sections 180 & 183 BNSS there is no disclosure about the date of the alleged incident committed upon the victim. As far as the allegation made against the applicant that he made viral such video clips and photographs but as per description of such video clips there is nothing on record that there was any obscene video clip. As per the ossification test report of the victim she was found 18 years of age at the time of her medical examination. The victim has refused for her internal medical

examination. Learned counsel further submits that since there are material contradictions in the F.I.R. as well as in the statements of the victim and from her statements she appears a consenting party, further, the delay in lodging of the FIR has not been explained satisfactorily by the prosecution and due to refusal of the victim for her internal medical examination no evidence exists to prove such allegation of rape, therefore, it appears that applicant has been implicated in the case with false and frivolous allegations with 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 17.02.2025, with no criminal history.

3. Per contra, learned A.G.A. as well as learned counsel for the informant have opposed the prayer for bail of the applicant by contending that 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-**Ravi Kumar**, be enlarged on bail in Case Crime No. 67 of 2025, under Sections 64, 352, 351(2), 351(3) of B.N.S. read with Section 3/4 of Protection of Children From Sexual Offences Act and Section 67 of I.T. Act, Police Station- Chauri Chaura, District- Gorakhpur, 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 prosecution shall be at liberty to move an application for cancellation of bail in accordance with law.

(Dr. Gautam Chowdhary,J.)

June 12, 2026

Mustaqeem.