



2025:AHC:174624

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 33455 of 2025

Rohit Jha

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Nanhe Lal Tripathi
Counsel for Opposite Party(s)	:	G.A., Hanuman Prasad Kushwaha

Court No. - 67

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Nanhe Lal Tripathi, learned counsel for the applicant, Sri Hanuman Prasad Kushwaha, learned counsel for the informant, Sri Amit Kumar, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Complaint Case No.815 of 2024 (Smt. Fareeda vs. Rhoit Jha and Others), under Sections 74, 333, 115(2) B.N.S. and 7/8 POCSO Act, Police Station Kotwali, District Lalitpur, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The allegations are *per se* false. The complaint case was filed after a delay of about twelve days and there is no explanation of the said delay caused. FIR No.743 of 2024 was instituted from the side of the applicant on 23.08.2024 itself and the instant complaint case is a counter-blast to it.
5. Learned counsel for the applicant has further argued that there is no criminal history of the applicant. The applicant is languishing in jail since 04.08.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Learned counsel for the informant and learned State Law Officer have

vehemently opposed the bail application on the ground that the injuries sustained by the victim were observed in the date of incident only, as such, the applicant is not entitled for bail.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the delay in institution of complaint case and the fact that an FIR has been instituted from the side of the applicant, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Rohit Jha**, who is involved in aforementioned complaint case 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 not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

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

10. 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.

(Krishan Pahal,J.)

September 26, 2025
(Ravi Kant)