



2025:JHC-1 K0:29511

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12702 of 2025

Akash

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Civil
Sectt. Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Surya Prakash
Counsel for Opposite Party(s)	:	G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the accused-applicant as well as learned A.G.A. for the State and perused the record.

In the prosecution case, it is alleged that the minor daughter of the informant, aged about 13 years, was enticed away by the applicant on 28.09.2025.

Learned counsel for the accused-applicant submits that the applicant has been falsely implicated in the case. In her statement recorded under Section 180 of the BNSS, the victim has not levelled any allegation against the applicant. During the medico-legal examination of the victim, no injury was found on her body, and there were no signs of use of force or sexual violence. The doctor who conducted the medico-legal examination has stated that no injury was found on the body of the victim. The pregnancy test of the victim was also found to be negative.

In her statement recorded under Section 183 of the BNSS, the victim stated that she went to Delhi of her own accord while searching for accommodation, where she met the applicant and started living with him and his family members in search of work. It is submitted that no wrongful act has been committed by the applicant.

It has been further submitted that applicant is in jail since 30.11.2025 and, if facility of bail is granted, there is no apprehension that he will flee from the judicial process and he will abide by the orders passed by the Court below

and will co-operate in speedy trial of the case.

Learned A.G.A. has opposed the prayer for bail but has not disputed the factual submissions made by learned counsel for the accused-applicant. However, he could not dispute the fact that no radiological test of the victim has been conducted by the prosecution.

Upon due consideration of the facts that the applicant, aged about 19 years, has no criminal history and has been languishing in jail since 30.11.2025, and upon perusal of the statements of the victim recorded under Sections 180 and 183 of the BNSS, which indicate that the victim went to Delhi of her own accord and levelled no other allegations against the applicant, and that prima facie no element of enticement is made out, I find it to be a fit case for enlarging the applicant on bail.

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

Let the applicant-**Akash** involved in Case Crime/FIR No. 364 of 2025, under Sections 137(2), 87 BNS, Police Station-Bheera, District-Lakhimpur Kheri, be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to 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 each and every date fixed by the trial Court.

Any other condition(s) which the trial court/concerned court may deem fit and proper, in the circumstances of the case, may also be imposed.

It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

December 16, 2025

Vinay/-

(Karunesh Singh Pawar,J.)