



2025:084-1 K0:25011

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12768 of 2025

Pintulal

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vimal Kishor Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 16

HON'BLE BRIJ RAJ SINGH, J.

1. Heard Sri Vimal Kishor Singh, learned counsel for the applicant, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 323 of 2025, under Sections 333, 64(1), B.N.S., Police Station Asandra, District Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 24.08.2025 against the applicant stating that on 22.08.2025 when the complainant was all alone in her house, the applicant, who is her distant relative, came to her house and tried to molest her. On her cries, the neighbours reached the house, the applicant ran away.
4. Learned counsel for the applicant has submitted that the applicant is innocent and he does not have any criminal history. He has been falsely implicated in the present case and is languishing in jail since 27.10.2025. The learned counsel has further submitted that in the present case the FIR was lodged by the prosecutrix herself, mentioning therein that the applicant had tried to commit rape on her. She raised an alarm. Villagers came to the place of occurrence, then the applicant ran away from there. It has been further submitted by learned counsel for the applicant that the prosecutrix subsequently improved her version in the statements recorded under sections 180 and 183 B.N.S.S., in which she leveled an allegation of rape against the applicant. It is also submitted that after going through major contradictions in the FIR and statements recorded under sections 180 and 183 B.N.S.S., it is apparently clear that the prosecutrix has improved her version just to give seriousness to the case. It is further submitted that though a medical examination of the victim was done, but she refused an internal examination.
5. The learned Additional Government Advocate has opposed the bail and submitted that the statement recorded under sections 180 and 183 B.N.S.S. contains an allegation of rape. Therefore, it is a heinous crime, and the bail is liable to be rejected.

6. Considering the overall facts and circumstances of the case, particularly the facts that the victim has improved her version in the statements recorded under sections 180 and 183 B.N.S.S., whereas the FIR contains no allegation of rape, the prosecutrix refused an internal examination, applicant has no previous criminal history and is in jail since 27.10.2025, without making any observation, which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail in the aforesaid crime.

7. Accordingly, this bail application stands **allowed**.

8. Let the applicant- **Pintulal** be released on bail in the aforesaid case 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, unless his appearance is exempted by the learned trial court.

(Brij Raj Singh,J.)

December 17, 2025

A.Nigam