



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 12450 of 2026

Vishal

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Gaurav Srivastav, Rajesh Kumar
Srivastava
Counsel for Opposite Party(s) : G.A., Manish Yadav, Snehlata Singh

Court No. - 65
(Sl. No. 74 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Sri Gaurav Srivastav, learned counsel for the applicant, Ms. Snehlata Singh, learned counsel for opposite party no.2, Sri Manish Yadav, learned counsel for the informant as well as Sri R.P. Singh, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 321 of 2025, under Sections 137(2), 87, 65(1) BNS and 3/4(2) POCSO Act, Police Station Linepar, District Firozabad, 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 victim is a consenting party as is but evident from her statement recorded under Section 183 B.N.S.S., whereby she had travelled with the applicant to several places including Punjab and Gujarat and stayed with him at a railway station and has even married the applicant. and did not raise any alarm, whatsoever.
5. Learned counsel has next stated that the victim, by her physical appearance, seems to be major although her age is 17 years as per ossification test report and a leverage of two years may be granted to the applicant on the upper side. The applicant himself is 22 years old youth.

6. Learned counsel for the applicant has further stated that there is no criminal history of the applicant. The applicant is languishing in jail since 12.11.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Learned State Law Officer and learned counsel for the informant have vehemently opposed the bail application but could not dispute the submissions made by the counsel for the applicant.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the statement of the victim recorded u/s 183 BNSS, whereby she seems to be consenting party as she has married the applicant and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

9. Let the applicant- **Vishal** who is involved in aforementioned case crime 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 verification of sureties, with the condition that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

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

11. 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.)

May 6, 2026
Shalini