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HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 15222 of 2026

Ravi Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Somit Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

(Sr. No.15 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Rajnish Tripathi, Advocate holding brief of Sri Somit Shukla, learned counsel for applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.74 of 2024, under Sections 452, 376, 506, 507 IPC and 67 IT Act, Police Station Narakhi, District Firozabad with the prayer to enlarge him on bail.
4. This is the third bail application on behalf of the applicant. The first one was rejected by this Court vide order dated 19.3.2025, passed in Criminal Misc. Bail Application No.27762 of 2024 and the following order was passed:

"1. List has been revised.

2. Heard Sri Ajay Kumar Dwivedi, learned counsel for the applicant and Sri Sanjeev Kumar Mishra, learned counsel for the informant as well as Sri R.P. Patel, learned State Law Officer and perused the record. Rejoinder affidavit filed by the learned counsel for the applicant today is taken on record.

3. Applicant seeks bail in Case Crime No. 74 of 2024, under Sections 452, 376, 506, 507 I.P.C. and Section 67 of I.T. Act, Police Station Narakhi, District Firozabad, during the pendency of trial.

4. Learned counsel for the applicant has stated that the applicant is innocent and he has been falsely implicated in the present case. He has nothing to do with the said offence. It is next stated that the FIR is delayed and there is no explanation of the said delay caused. The allegations are per se false as the video was seen by the husband of the victim only and no other person has seen the said video, as such it cannot be termed as viral as viral video has to be seen by number of persons. It is next stated that there is no recovery of any video, rather the video is stated to have been deleted by the victim and there is only screen shot which was provided to the Investigating Officer by the husband of the victim. The applicant is languishing in jail for more than one year and he is cooperating in trial.

5. Per contra, learned counsel for the informant as well as learned A.G.A. have vehemently opposed the bail on the ground that the applicant had posted the said indecent video on Facebook and once it is posted and seen by a person, it amounts to having been made viral on social media. There is nothing on record to suggest as to how many persons have seen it, as such the applicant is not entitled for bail as the applicant has misused his clout and posted the indecent video on social media for the reasons best known to him only.

6. After hearing learned counsel for the parties and taking into consideration the fact that the applicant had posted the indecent video of the victim on the social media i.e. Facebook and the screen shot of the said video being posted on the said platform which stands mentioned in the FIR itself, I do not find it a fit case for grant of bail to the applicant.

7. The bail application is found devoid of merits and is, accordingly, **rejected**.

8. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, in view of the principle laid down in the recent judgements of the Supreme Court in the cases of **Vinod Kumar vs. State of Punjab 2015 (3) SCC 220** and **Hussain and Another vs. Union of India (2017) 5 SCC 702**, if there is no legal impediment.

9. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial."

5. The second bail application was rejected by this Court vide order dated 23.07.2025, passed in Criminal Misc. Bail Application No. 24826 of 2025, and the following order was passed:

"1.. List has been revised.

2. Heard Sri Somit Shukla, learned counsel for applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.

3. This is the second bail application on behalf of applicant. The first one was rejected by this Court vide order dated 19.3.2025 passed in Criminal Misc. Bail Application No.27762 of 2024.

4. The present bail application has been filed by the applicant in Case Crime No.74 of 2024, under Sections 452, 376, 506, 507 IPC and 67 I.T. Act, Police Station Narakhi, District Firozabad with the prayer to enlarge him on bail.

5. Learned counsel for the applicant has stated that as a new ground, there are several contradictions in the statement of PW-1, as such, the applicant is entitled for bail. The applicant is in jail since 05.03.2024 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 A.G.A. has vehemently opposed the bail application.

7. After hearing learned counsel for the parties and taking into consideration the fact that no new ground is there for pressing the second bail application and the trivial contradictions, if any, cannot be taken into consideration at this stage coupled with the fact that the trial is going on, I do not find it a fit case for grant of bail to the applicant.

8. The bail application is found devoid of merits and is, accordingly, **rejected**.

9. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of **Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220 and Hussain and Another vs. Union of India; (2017) 5 SCC 702**, if there is no legal impediment.

10. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial."

6. Learned counsel for the applicant has stated that, as a new ground, only four witnesses have been examined to date. The trial is moving at a snail's pace; as such, the fundamental rights of the applicant, enshrined under Article 21 of the Constitution of India, stand violated. The applicant is in jail

since 05.03.2024 and is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned A.G.A. has vehemently opposed the bail application.

8. After hearing learned counsel for the parties and into consideration the fact that the main ground for rejection of the applicant's bail was that he had misused his clout, video-recorded the said act, and posted it on Facebook, making it viral and thus maligning the victim, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, ***rejected***.

9. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, as early as possible, in accordance with law, if there is no legal impediment.

10. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

May 6, 2026
(Ravi Kant)