



2026:0001:1041076

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 14013 of 2026

Sonu Malik

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pankaj Kumar Tyagi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

(Sr. No.85 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned State Law Officer has informed that the notice to the informant has been served on 20.04.2026, but none is present on behalf of the informant.
2. Heard Ms. Sujata Chaudhary, Advocate holding brief of Sri Pankaj Kumar Tyagi, learned counsel for the applicant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.119 of 2026, under Sections 65(1), 137(2) BNS, 2023 and Section 3/4(2) POCSO Act, 2012, Police Station Jani, District Meerut, during the pendency of trial.
4. As per prosecution story, the applicant is stated to have abducted the minor daughter of the informant and had come back to drop her at the village, whereby he was apprehended by the public at large and was given a good beating. The victim told the informant that the applicant had enticed her away, taken her to a hotel, and committed rape with her. The informant had taken the victim as well as the applicant to the police station on 27.02.2026.
5. Learned counsel for the applicant has stated that the date and time of elopement of the victim is not mentioned in the FIR. The statement of the victim is vacillating at different stages. Even the *modus operandi* and the name of the vehicle has not been mentioned by the victim in her statement

recorded under Section 180 BNSS and in her statement recorded under Section 183 BNSS, she has stated that the applicant took her in a Wagon R car which was driven by his friend. The victim is a consenting party, as she has not raised any alarm during the said sojourn and the stay at the hotel. Even there is a statement of the owner, Jatin, of Pradhanji Restaurant, whereby the applicant had taken the victim, and the said owner has categorically stated that the applicant had taken her to a room and both of them stayed there, which indicates that she was a consenting party. Had the applicant abducted her, she would have raised alarm there and then only.

6. Learned counsel for the applicant has further stated that the applicant has been beaten up out of vengeance by the informant, as he could not bear the said fact of victim having gone with him. The victim, by her looks, seems to be major, although as per high school certificate, her date of birth is 03.05.2011, but the said age has been deliberately suppressed. The applicant himself is a youth, aged about 22 years old. A matter of consensual relationship between two adolescents has been converted into a criminal case by the informant out of vengeance. The applicant has no criminal history and is in jail since 27.02.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

7. Learned State Law Officer has 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 that the victim appears to be a consenting party, as she did not raise any alarm during the sojourn in the car and also stay at the hotel, 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**.

9. Let the applicant- **Sonu Malik**, be released on bail on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

10. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

May 6, 2026
(Ravi Kant)