



2026:000:108146

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 15337 of 2026

Haseen Khan

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Mayank Shekhar Singh, Pramod Kumar
Singh Paliwal, Yadvendra Pratap Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 65

(Sr. No.47 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A. has informed that notice to the informant has been served 22.4.2026, but none appeared on behalf of the informant even in the revised list.

2. Heard Sri Mayank Shekhar Singh, learned counsel for the applicant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and perused the record.

3. Applicant seeks bail in Case Crime No.553 of 2025, under Sections 65(1), 191(2), 191(3), 333, 115(2), 352, 351(3) BNS and 3/4 POCSO Act, Police Station Milak, District Rampur, during the pendency of trial.

PROSECUTION STORY:

4. The applicant is stated to have raped the daughter of the informant as he was infatuated with her and wanted to marry her. When the informant objected to it and reported the matter, the applicant and other accused persons are stated to have beaten him up causing injuries to him on 13.12.2025 at about 08:00 p.m.

ARGUMENTS ON BEHALF OF APPLICANT:

5. The applicant is absolutely innocent and has been falsely implicated in the present case.

6. The FIR is delayed by about twenty hours and there is no explanation of the said delay cause.

7. The prosecution story stands falsified from the statement of victim recorded U/s 183 BNSS, whereby she has stated that applicant had video recorded the said act and clicked certain indecent photographs of her, but there is no recovery of any indecent video or photograph of the victim.

8. It is true that informant has sustained certain injuries on his body, which are simple in nature.

9. The informant has filed an affidavit before the Investigating Officer stating that applicant had an altercation with him and he does not want to press the allegations made in the FIR regarding rape. As such, it is a clear cut case of false implication.

10. The applicant has no criminal history and is in jail since 25.2.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

ARGUMENTS ON BEHALF OF STATE/INFORMANT:

11. The bail application has been opposed but the submissions raised by the learned counsel for the applicant could not be disputed.

CONCLUSION:

12. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that there is no recovery of any indecent video or photograph of the victim and also the affidavit given by the informant before the Investigating Officer, 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**.

13. Let the applicant- **Haseen Khan**, 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.

14. 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
Vikas Verma