



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 14270 of 2026

Babloo Agrahari

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ankur Rai, Vikalp Kumar Rai, Vivek Chaturvedi
Counsel for Opposite Party(s) : G.A.

Court No. - 65
(Sl. No. 36 out of 265)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. As informed by learned State Law Officer notice to the informant has been served on 19.4.2026.
2. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
3. Heard Sri Vivek Chaturvedi, learned counsel for the applicant as well as Sri J.K. Chaurasia, learned State Law Officer and perused the material placed on record.
4. Applicant seeks bail in Case Crime No. 110 of 2026, under Sections 64, 123, 351(3), 352 BNS, Police Station Ramgarh Tal, District Gorakhpur, during the pendency of trial.
5. As per prosecution story, the applicant is stated to have established corporeal relationship with the victim by spiking her cold drink, on the false promise of marriage and had later on refused to comply with the said promise, as it was found that he was already married.
6. On 22.1.2026 at about 9.00 pm, the applicant is stated to have barged into the house of the victim in an inebriated state and raped her and threatened her with a knife. The minor children of the victim tried to stop him but he ran away from the place of occurrence. The victim is the consenting party and obviously is major as she is a married lady having two children. The fact

that applicant promised to marry her also stands dispelled as victim herself was a married lady.

7. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the said offence. The FIR itself is delayed by about one month from the date of incident. There is no medical corroboration of the incident. The informant has converted a failed consensual physical relationship into a criminal case.

8. Learned counsel has further stated that there is no criminal history of the applicant. The applicant is languishing in jail since 11.3.2026 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

9. Learned State Law Officer has vehemently opposed the bail application.

10. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the delay in FIR and there being no medical corroboration of the incident 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**.

11. Let the applicant- **Babloo Agrahari**, 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 following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

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

13. 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.

May 7, 2026
Shalini

(Krishan Pahal,J.)