



2026:0001:105292

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 14245 of 2026

Rohit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mrityunjay Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

(Sl. No. 34 out of 265)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Mrityunjay Singh, learned counsel for the applicant, Sri Sanjeev Kumar, learned counsel for the informant as well as Sri J.K. Chaurasia, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 432 of 2025, under Sections 87, 351(3), 64 BNS, Police Station Gaunda, District Aligarh, during the pendency of trial.

ARGUMENTS ON BEHALF OF APPLICANT:

4. 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 the circumstances she mentioned in her statement recorded under Section 183 B.N.S.S., whereby she has stated that she alongwith two daughters was forcibly taken by the applicant on a motorcycle. She travelled with the applicant and did not raise any alarm, whatsoever. The informant has converted a failed consensual physical relationship into a criminal case. The victim is major being a married lady having two children.
5. There is a criminal history of three cases assigned to the applicant, which stands explained. The applicant is languishing in jail since 28.3.2026 and he is ready to cooperate with trial. In case, the applicant is released on bail, he

will not misuse the liberty of bail.

ARGUMENTS ON BEHALF OF STATE/INFORMANT:

6. The bail application has been opposed but the submissions made by learned counsel for the parties could not be disputed.

CONCLUSION:

7. This Court is of the view that if a case for bail is otherwise made out, an accused cannot be kept incarcerated solely on account of his criminal antecedents. In the instant case, the criminal history assigned to the applicant has been properly explained.

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 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- **Rohit**, 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 7, 2026
Shalini