



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15333 of 2026

Ashish @ Pinku

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Krishna Tripathi, Ram Kumar Dubey
Counsel for Opposite Party(s) : G.A.

Court No. - 65
(Sr. No.45 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ram Kumar Dubey, learned counsel for the applicant, Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.597 of 2025, under Sections 87, 142/64 BNS, Police Station Handiya, District Prayagraj, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about two months and there is no explanation of the said delay caused. The statement of victim is vacillating at different stages. At one stage, she stated that applicant forcibly abducted her and she was rendered unconscious and she regained consciousness during travelling in the car and raised alarm, but nobody was there to rescue her.
5. Learned counsel for the applicant has further argued that the victim has stated that she does not know the applicant, but has subsequently nominated him, which indicates it to be a case of false implication. There is no test identification parade conducted as per Section 7 of Bharatiya Sakshya Adhiniyam.

6. It is further argued by learned counsel for the applicant that the said story cannot be believed as the victim had stayed with the applicant for about two months and she did not raise any alarm whatsoever during the said stay. The victim is major. The applicant has no criminal history and is in jail since 22.10.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

7. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

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 inordinate delay of two months in institution of FIR coupled by the fact that victim seems to be a consenting party as she stayed with the applicant for about two months and had not raised any alarm whatsoever during the said stay, 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- **Ashish @ Pinku**, 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

Vikas Verma