



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15104 of 2026

Nadeem

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Suresh Kumar Maurya
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65
(Sl. No. 23 out of 205)

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 25.4.2026.
2. Heard Sri Suresh Kumar Maurya, learned counsel for the applicant 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. 240 of 2025 and Session Case No. 715 of 2026, under Sections 137(2), 87, 65(1) BNS, 5J(ii)/6 POCSO Act, Police Station Ushait, District Budaun, 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 FIR is delayed by two days and there is no explanation of the said delay caused.
5. The victim is a consenting party as is but evident from the fact that she has stated that she had gone with the applicant all the way to Gujarat and stayed there and did not raise any alarm, whatsoever. She has stated that she was pregnant.
6. The victim, by her physical appearance, seems to be major although her age is 17 years as per ossification test report and a leverage of two years may be granted to the applicant on the upper side.

7. The applicant is ready to marry her and take care of her as well as the foetus in her womb. There is no criminal history of the applicant. He is languishing in jail since 1.2.2026 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:

8. Learned State Law Officer has no objection if the applicant is granted bail on the condition that he is ready to marry the victim and take care of her as well as the foetus in her womb.

CONCLUSION:

9. 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 victim is the consenting party and that the applicant is ready to marry the victim and take care of her as well as the foetus 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**.

10. Let the applicant- **Nadeem**, 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 following conditions:-

(i) The applicant shall marry the victim within a period of two months after his release from jail and shall take care of the offspring born subsequently, if any. The applicant shall deposit (Fixed Deposit) a sum of Rs. 1 lakh in the name of victim within a period of three months from the date of his release from jail.

(ii) The applicant shall not tamper with evidence during trial.

(iii) The applicant shall not pressurise/intimidate with the prosecution witnesses.

(iv) The applicant shall appear before the trial court on the date fixed.

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

12. 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 5, 2026
Shalini

(Krishan Pahal,J.)