



2026:000:111451

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 15187 of 2026

Tulsidas Rajbhar Alias Jhinak

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Dinesh Kumar Pandey, Manu Sharma
Counsel for Opposite Party(s) : G.A.

Court No. - 65

(Sl. No. 44 out of 269)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. As informed by learned State Law Officer, notice has been served to the informant on 3.5.2026.

2. Heard Sri Manu Sharma, learned counsel for applicant, Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri J.K. Chaurasia, learned State Law Officer and perused the material placed on record.

3. The present bail application has been filed by the applicant in Case Crime No.46 of 2026, under Sections 64(1), 352, 351(3) BNS and 5J(2)/6 of POCSO Act, Police Station Nautanwa, District Maharajganj, with the prayer to enlarge him on bail.

ARGUMENTS ON BEHALF OF APPLICANT:

4. Learned counsel for the applicant has stated that applicant has challenged the paternity of the foetus in the womb of the victim. The wife of the applicant had moved applications before the investigating officer for getting the DNA analysis of the foetus to ascertain whether it matched with that of the applicant.

5. The victim is the consenting party. The FIR is delayed by more than seven months and there is no explanation of the said delay caused. The only bone of contention is that applicant refused to marry her. The applicant himself is a married person, as such, it is not possible for him to marry her till the subsistence of his earlier marriage.

6. The counsel for the applicant has just received instructions that victim has given birth to a baby and the DNA samples are being collected.

7. The applicant is in jail since 21.3.2026 and 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. The victim has categorically alleged that she was ravished by the applicant and her life has been ruined, as such, he is not entitled for bail.

CONCLUSION:

9. After hearing learned counsel for the parties and taking into consideration the fact that victim has categorically stated that she was ravished by the applicant and as per the statement of counsel for the applicant, she has delivered a child and the life of the victim stands ruined as applicant himself has challenged the paternity of the said child, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, ***rejected***.

10. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible, if there is no legal impediment.

11. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

12. The Registrar Compliance is directed to transmit a copy of this order to the trial court concerned for necessary compliance.

(Krishan Pahal,J.)

May 14, 2026
Shalini