



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15372 of 2026

Nazir Ali @ Kuddus

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	: Amit Shukla, Durga Prasad
Counsel for Opposite Party(s)	: G.A.

Court No. - 65
(Sl. No.59 out of 269)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Durga Prasad, learned counsel for the applicant, Sri Krishna Kumar Shukla, learned counsel for the informant as well as Sri Abhishek Mishra, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 83 of 2026, under Section 65(1) BNS and 3/4 POCSO Act, Police Station Bindki, District Fatehpur, 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 eight hours and there is no explanation of the said delay caused.
5. Although it is not the case of consent but the case of false implication, as the informant was at animous with the family of the applicant. There is no medical corroboration of the incident. The victim, by her physical appearance, seems to be major although her age is 16 years as per ossification test report.
6. There is no criminal history of the applicant. The applicant is languishing in jail since 21.3.2026 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:

7. The victim has categorically nominated the applicant in her statement recorded u/s 180 and 183 BNSS, as such, the applicant is not entitled for bail.

CONCLUSION:

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 fact that there is 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**.

9. Let the applicant- **Nazir Ali @ Kuddus**, 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 14, 2026
Shalini