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HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 15336 of 2026

Arjun Prajapati

.....Applicant(s)

Versus

State Of U.P. And 3 Others

1.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sunil Kumar Kushwaha
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

(Sl. No. 56 out of 269)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Sunil Kumar Kushwaha, learned counsel for the applicant, Sri Jai Prakash Rai, learned counsel for the informant as well as Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 5 of 2026, under Sections 64(1), 351(2) BNS and 3/4 POCSO Act, Police Station Katera, District Jhansi, 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 she has not reported the matter to anyone. The only allegations against the applicant is that the matter was revealed to her husband whereupon he had expelled her from his house and had asked her to stay with the applicant only, whereas the applicant himself had refused to take care of her. The matter of failed consensual relationship between two adults has been converted to criminal case by the informant. The victim is 19 years old as per ossification test report. Applicant himself is 19 years old youth.

5. There is no criminal history of the applicant. The applicant is languishing in jail since 13.1.2026 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 raised by counsel for the applicant has not been opposed.

CONCLUSION:

7. 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 there being no clinching evidence to suggest that the applicant misled the victim from the beginning 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**.

8. Let the applicant- **Arjun Prajapati**, 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.

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

10. 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