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HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19978 of 2025

Rocky

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kailash Prasad Pandey, Shantanu Pandey, Shashi Kant Pandey

Counsel for Opposite Party(s) : G.A., Om Prakash Kannaujia, Ravi Shankar Kanojiya

Court No. - 65

(Sl. No. 109 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Kailash Prasad Pandey, learned counsel for applicant, Sri Ravi Shankar Kanojiya, learned counsel for the informant as well as Sri R.M. Yadav, learned A.G.A. for the State and perused the material placed on record.

3. The present bail application has been filed by the applicant in Case Crime No. 0068 of 2025, under Sections 123, 64, 351(3) and 333 BNS and 66 I.T. Act, Police Station Magorra, District Mathura, with the prayer to enlarge him on bail.

PROSECUTION STORY:

4. The applicant is stated to have video recorded the indecent act committed with the victim and had threatened her to make it viral on social media.

ARGUMENTS ON BEHALF OF APPLICANT:

5. Learned counsel for the applicant has stated that the allegations are per se false. The applicant has not circulated the video anywhere. Although one video was recovered from his mobile but he has nothing to do with the said offence.

6. The victim is a married lady aged about 35 years, while applicant is a 27 years old youth.

7. The applicant is in jail since 1.3.2025 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 statement of the victim has been recorded and she has supported the prosecution story. The said video has been recovered from the mobile of the applicant and was found indecent. The victim has deposed against the applicant and there is a recovery of indecent video of the victim from the mobile of the applicant, 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 supported the prosecution story and that the indecent video of the victim has been recovered from the mobile of the applicant, 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 in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, 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.

(Krishan Pahal,J.)

May 6, 2026

Shalini