



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 25145 of 2025

Sanjeev

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Ajai Kumar, Sumat Singh Yadav
Counsel for Opposite Party(s)	: G.A.

Court No. - 65
(Sr. No.109 out of 243)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ajai Kumar, learned counsel for the applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Sessions Case No.1034 of 2024 (State vs. Sanjeev), arising out of Case Crime No.251 of 2023, under Sections 376, 506 I.P.C., Police Station Bilsa, District Budaun, during the pendency of trial.
4. This is the second bail application on behalf of the applicant. The first one was rejected by the Co-ordinate Bench of this Court vide order dated 3.4.2024 passed in Criminal Misc. Bail Application No.11506 of 2024.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. Initially, the FIR was instituted regarding outraging the modesty only, but the allegations have been escalated to that of rape in the statements of victim recorded U/s 161 and 164 Cr.P.C. as an afterthought. There is no medical corroboration of the incident. The victim is a 37 years old lady. There are two contusions sustained by the victim, but the injuries are not on vital part of the body.
6. Learned counsel for the applicant has further argued that a case of physical assault has been converted into a case of rape by the victim. The

applicant has no criminal history and is in jail since 19.12.2023. As such, the period of incarceration comes out to be about two and a half years. He undertakes to cooperate with the trial and not misuse the liberty of bail.

7. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

8. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 13.11.2025, two witnesses have been examined.

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 the allegation of rape has been made subsequently coupled by the fact the injuries sustained by the victim are not on the vital part of the body, and without expressing any opinion on the merits of the case, *prima-facie* 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- **Sanjeev**, be released on bail on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

11. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

May 12, 2026
Vikas Verma