



2026:AHC:201049

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 34162 of 2026

Shubhan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anuj Kumar Sen, Raj Kumar Sharma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68
(Sl. No. 30 out of 109)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Anuj Kumar Sen, learned counsel for the applicant and Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the record.
3. This is the second bail application filed on behalf of the applicant seeking bail in **Case Crime No. 139 of 2025, under Sections 64(1), 77, 351(3) of BNS and 67A of I.T. Act, Police Station- Kotwali Dehat, District - Bulandshahr**, during the pendency of trial.
4. The first bail application of the applicant was rejected by this Court vide order dated 06.04.2026 passed in Criminal Misc. Bail Application No. 18471 of 2025.
5. As a new ground, learned counsel for the applicant has submitted that the statements of PW-1 and PW-2 (the victim) have since been recorded before the trial court. It is contended that during her cross-examination, the victim (PW-2) did not support the prosecution's story and resiled from her earlier stance. It is further submitted that the alleged explicit video of the victim was not circulated or made viral through the mobile of the applicant, thereby weakening the nexus between the applicant and the alleged offence. The applicant has been languishing in jail since 13.03.2025. It is assured that in the event bail is granted, the applicant will not misuse the liberty, shall strictly abide by all conditions, and will fully cooperate with the ongoing trial.
6. Per contra, learned AGA has vehemently opposed the bail

application, asserting that the victim had categorically reiterated the gravity of the allegations made in the FIR both in her statement recorded u/s 183 of BNSS and during her examination-in-chief conducted on 24.08.2026. It is argued that although the victim subsequently turned hostile during cross-examination, the factum of the video being circulated on the Instagram platform remains undisputed. Given the serious nature of the cyber-crime and the exploitation involved, the applicant is not entitled to any leniency.

7. Considering the facts and circumstances of the case, the submissions advanced by the learned counsel for the parties, the nature and gravity of the accusation, the active dissemination of the sensitive video on social media, and the stage of the trial, I do not find it a fit case to release the applicant on bail.

8. The bail application is, accordingly, **rejected**.

9. However, the Trial Court is directed to decide the aforesaid case expeditiously, in accordance with law, if there is no legal impediment.

10. 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.

11. The Registrar (Compliance) is directed to communicate this order to the Trial Court concerned forthwith for necessary information and compliance.

September 24, 2026

Siddhant

(Krishan Pahal,J.)