



2026:AHJ:87379

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 41517 of 2025

Shariq Alias Kashif

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashutosh Shankar Dwivedi, Mehdi
Abbas, Pradeep Kumar

Counsel for Opposite Party(s) : Shashi Prakash Pandey, G.A.

Court No. - 65

(Sr. No.179 out of 277)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Mehdi Abbas and Sri Pradeep Kumar, learned counsels for the applicant, Sri Shashi Prakash Pandey, learned counsel for the informant as well as Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.244 of 2025, under Sections 123, 64, 351(2), 61(2)(a) BNS, Police Station Shikarpur, District Bulandshahr, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The victim in her statement recorded U/s 183 BNSS has categorically stated that applicant did not make viral the said indecent video whatsoever. There is no recovery of any video from the mobile of the applicant.
5. Learned counsel for the applicant has further argued that the role of applicant is at different footing to co-accused person Mustafa, who is stated to have sent the said indecent video to the mobile of other persons. The said co-accused has already been enlarged on bail by the trial court itself. The applicant has no criminal history and is in jail since 16.8.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. Learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

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 fact that there is no recovery of any indecent video from the mobile of the applicant coupled by the fact that co-accused Mustafa, who is stated to have sent the said indecent video to the mobile of other persons, has already been enlarged on bail, 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***.

8. Let the applicant- **Shariq Alias Kashif**, 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.

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

(Krishan Pahal,J.)

April 20, 2026

Vikas Verma