



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 40575 of 2025

Dheeraj Sahani

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Dharmendra Kumar Yadav, Shweta Nishad
Counsel for Opposite Party(s) : G.A., Sitaram Yadav

Court No. - 65
(Sr. No.60 out of 205)

HON'BLE KRISHAN PAHAL, J.

1. list has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Sri Sheetla Sahai Srivastava, Advocate holding brief of Sri Dharmendra Kumar Yadav, learned counsel for the applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record. Learned counsel for the informant is not present.
3. Applicant seeks bail in Case Crime No.328 of 2025, under Sections 69, 93, 352, 115(2) BNS, Police Station Lar, District Deoria, during the pendency of trial.
4. As per prosecution story, the applicant is stated to have established corporeal relationship with the victim for about two years and impregnated her. The victim is stated to have given birth to a baby-girl and the applicant is stated to have promised to marry her, if she disposed of the said daughter born. The victim is stated to have thrown the girl in water, but subsequently the applicant refused to comply with the said promise of marriage.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the said offence. The FIR is delayed by about two years and there is no explanation of the said delay caused. It is even delayed by about 15 days from the refusal of marrying the victim. There is no

evidence against the applicant whatsoever.

6. Learned counsel for the applicant has further stated that it is a clear cut case of consensual relationship between two major persons. The victim is a 20 years old girl. The victim herself has committed crime as she, as per her own statement, had disposed of the baby-girl born to her. There is no clinching evidence to suggest that the applicant misled the victim from the beginning. There is no criminal history of the applicant and he is in jail since 19.9.2025. 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.

8. 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 victim is major and there being no clinching evidence to suggest that the applicant misled her from the beginning, 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**.

9. Let the applicant- **Dheeraj Sahani**, 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.

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

11. Pending applications, if any, stand disposed of.

(Krishan Pahal,J.)

May 5, 2026

Vikas Verma