



2026:AHJ:87187

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 40053 of 2025

Nafees

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vivek Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65
(Sr. No.173 out of 277)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vivek Singh, learned counsel for the applicant, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in S.T. No.470 of 2025, arising out of Case Crime No.454 of 2024, under Sections 64, 333 BNS, Police Station Partapur, District Meerut, 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 is a consenting party as far as the instant case is concerned. She is stated to have been taken by the applicant by force to his house and after closing the door committed rape with her twice. The victim did not raise any alarm during the said period of stay in the house of applicant, as such, it is a clear cut case of false implication.
5. Learned counsel for the applicant has further argued that it is true that victim had sustained injuries on her body, but so had the applicant. Both of them were injured as were seen by the parents of the victim and both were given a hard beating by them. The said fact stands fortified by the statement of victim recorded by the doctor conducting her medical examination. The applicant has no criminal history and is in jail since 5.12.2024. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. 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.

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 statement of victim recorded by the doctor concerned and the injuries sustained by the victim and applicant coupled by the fact that victim had not raised any alarm whatsoever during the period of stay in the house of applicant, 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- **Nafees**, 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