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HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 41200 of 2025

Priyanshu Jaisawal

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Abhishek Kumar Shukla, Akhilesh
Chandra Srivastava
Counsel for Opposite Party(s) : G.A., Sadhana Dubey

Court No. - 65

(Sr. No.115 out of 269)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today is taken on record. Learned A.G.A. has informed that the notice to the informant has been served on 08.12.2025.

2. Heard Sri Abhishek Kumar Shukla, learned counsel for the applicant, Ms. Sadhana Dubey, learned counsel for the High Court Legal Service Committee, Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the material placed on record.

3. This is the second bail application on behalf of the applicant. The first one was dismissed by a Co-ordinate Bench of this Court vide order dated 05.06.2025 passed in Criminal Misc. Bail Application No.18275 of 2025.

4. Applicant seeks bail in Case Crime No.20 of 2025, under Sections 87, 70(2), 127(3), 351(3), 3(5), 61(2), 111 BNS, Section 5(g)/6 POCSO Act and Section 3, 4, 5, 6, 7, 9 of Immoral Traffic (Prevention) Act, Police Station Shahpur, District Gorakhpur, during the pendency of trial.

5. Learned counsel for the applicant has stated that the applicant is not named in the FIR and has been falsely implicated in the present case. His name has come up during investigation. PW-1, PW-2, PW-5, PW-6 and PW-7 have been examined during the trial, and they have completely resiled from their earlier statements and have been cross-examined by the Public Prosecutor after being declared hostile. There is no likelihood of the

applicant's conviction in the present case. The applicant has no criminal history and is in jail since 20.03.2025. He is ready to cooperate with the trial and undertakes not to misuse the liberty of bail if released.

6. Learned counsel for the High Court Legal Service Committee and learned A.G.A. have vehemently opposed the bail application but could not dispute the submissions made by the counsel for the applicant.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration that the applicant is not named in the FIR and PW-1, PW-2, PW-5, PW-6 and PW-7 have turned hostile, 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- **Priyanshu Jaisawal**, 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.)

May 14, 2026
(Ravi Kant)