



2026:AHC:91581

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 44972 of 2025**

Salman

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Jigyasha Tripathi, Surendra Kumar Tripathi  
Counsel for Opposite Party(s) : Deepak Kumar Patel, G.A.

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**Court No. - 65**  
(Sl. No.181 out of 259)

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised.
2. Heard Sri Surendra Kumar Tripathi, learned counsel for the applicant, Sri Deepak Kumar Patel, learned counsel for the informant, Sri R.M. Yadav, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 682 of 2025, under Sections 69, 351(2) BNS, Police Station Sadar, District Agra, during the pendency of trial.
4. As per prosecution story, the applicant is stated to have established corporeal relationship with the victim on the false promise of marriage and had later on refused to comply with the said promise.
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. As per ossification test report, the age of the victim has come out to be 20 years. There is no clinching evidence to suggest that the applicant misled the victim from the beginning. The informant has converted a failed consensual physical relationship into a criminal case.

6. Learned counsel has further stated that there is no criminal history of the applicant. The applicant is languishing in jail since 16.11.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will 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 judgments of the Supreme Court passed in ***Kunal Chatterjee vs. State of West Bengal & Ors. (Special Leave petition (Crl.) No. 7004 of 2025)***, ***Pramod Suryabhan Pawar vs. State of Maharashtra and Another, 2019 (9) SCC 608*** and ***Ansaar Mohammad vs. State of Rajasthan and Another, 2022 SCC OnLine SC 886*** and without expressing any opinion on the merits of the case, 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- **Salman**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

10. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

11. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

**(Krishan Pahal,J.)**

**April 23, 2026**

Shalini