



2025:AHJ:167256

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 45520 of 2025

Saqib

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rahul Singh Tomar, Vivek Singh
Counsel for Opposite Party(s)	:	Anshu Pandey, G.A.

Court No. - 65
(Sr. No.87 out of 277)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A. has informed that notice to the informant has been served on 18.12.2025.
2. Counter affidavits filed by learned A.G.A. and learned counsel for opposite party no.4 are taken on record. Learned counsel for the applicant does not propose to file rejoinder affidavit.
3. Heard Sri Vivek Singh, learned counsel for the applicant, Sri Sunil Kumar, learned A.G.A. for the State as well as Ms. Anshu Pandey, learned counsel for High Court Legal Services Committee and perused the material placed on record.
4. Applicant seeks bail in Case Crime No.526 of 2025, under Sections 137(2), 64(1), 127(2) BNS and 3/4(2) POCSO Act, Police Station Lohiya Nagar, District Meerut, during the pendency of trial.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR was instituted after a delay of about sixteen hours under suspicion only. There is mark of injury on the neck of the victim, but the cause of injury, in the opinion of doctor, was being hit by a stick as told by the victim herself. Even otherwise there is no allegation of sexual assault against the applicant.
6. It is further argued by learned counsel for the applicant that the only allegation is that applicant kissed the victim on her neck. The said offence

does not fall within the category of rape. The matter of family discord regarding payment of money has been converted to a criminal case by the informant. The applicant has no criminal history and is in jail since 5.9.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

7. Learned A.G.A. and learned counsel for High Court Legal Services Committee have vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

8. Considering the overall facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, 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- **Saqib**, 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.

(Krishan Pahal,J.)

April 20, 2026

Vikas Verma