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HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 45739 of 2025

Rohit Soni Alias Punnu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohd. Kamar Shah Alam

Counsel for Opposite Party(s) : G.A., Someshwar Pandey, Vinod
Kumar Pandey

Court No. - 65

(Sr. No.66 out of 243)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Rejoinder affidavit filed today is taken on record.
2. Heard Sri Wahid Jamal, Advocate holding brief of Sri Mohd. Kamar Shah Alam, learned counsel for applicant, Sri Vinod Kumar Pandey, learned counsel for the informant, Ms. Ifrah Islam, learned State Law Officer 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 rejected by this Court vide order dated 24.04.2025 passed in Criminal Misc. Bail Application No.38469 of 2024.
4. The present bail application has been filed by the applicant in Case Crime No.147 of 2024, under Sections 333, 64(1), 351(2) BNS, Police Station Khiri, District Prayagraj with the prayer to enlarge him on bail.
5. Learned counsel for the applicant has stated that, as a new ground, the victim has not supported the prosecution story during her cross-examination. There are several contradictions in the statement of the victim, whereby she has stated that she was not subjected to sexual assault by the applicant. There was no medical corroboration of the incident. Even the statement of the doctor concerned, who has been examined as PW-5, does not corroborate the prosecution story, as he has stated that he was not sure whether the victim had been subjected to sexual assault. The applicant is in jail since 13.08.2024 and is ready to cooperate with the trial. In case the applicant is

released on bail, he will not misuse the liberty of bail.

6. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the examination-in-chief of the victim was recorded on 22.08.2025 and the cross-examination was conducted on 09.09.2025. What transpired during the intervening period of more than 18 days is best known to the victim and her family members only. The victim was a mentally unstable lady.

7. After hearing learned counsel for the parties and taking into consideration the fact that no new ground is there for pressing the second bail application, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, ***rejected***.

8. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, as early as possible, in accordance with law, if there is no legal impediment.

9. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

May 12, 2026
(Ravi Kant)