2026:AHC-LKO:41019

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 3977 of 2026

Nitin

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Kuldeep, Nagendra Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Heard learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the record.

2. The present bail application has been filed on behalf of the applicant in Case Crime No.0106 of 2026, under Sections 87, 137(2) BNS, Police Station - Buddupur, District - Barabanki, with the prayer to enlarge him on bail.

3. Learned counsel for the applicant submits that the applicant is an innocent person, aged about 18 years and has been falsely implicated in the case and he is in jail since 28.3.2026. He further submits that as per the prosecution case, victim was allured by the applicant by saying that if she is not solemnize marriage with him, he commit suicide. He further submits that on the basis of concocted facts, F.I.R. in question was lodged and thereafter, charge sheet was filed by the Investigating Officer. He further submits that he will not involve in any illegal activities in the future. In these circumstances, the applicant is entitled for bail. In case of being enlarged on bail, he will not misuse the liberty of bail.

4. Learned A.G.A. has opposed the prayer for grant of bail.

5. Considering the rival submissions of learned counsel for applicant, learned A.G.A., material available on record, contents of F.I.R., other

relevant documents, nature of offence as well as facts and circumstances of the case, I am of the view that the applicant is entitled to be released on bail.

6. Let applicant - **Nitin** - be released on bail in aforesaid Case Crime, on his furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(ii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC/269 BNS.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./84 BNS, may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC/209 BNS.

(vi) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./351 BNS. If

in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

(Rajeev Singh,J.)

June 12, 2026
GauraV/-

Digitally signed by :-
GAURAV PAL
High Court of Judicature at Allahabad,
Lucknow Bench