HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2084 of 2026

Shakir Ali

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amarjeet Yadav, Anand Pratap Singh, Hari Narayan Singh, Kamalesh Kumar Nishad, Ram Awadh Maurya
Counsel for Opposite Party(s)	:	Anil Kumar Verma, Devendra Kumar Patel, G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard Sri Anand Pratap Singh, learned counsel for the applicant, Sri Manoj Gautam, learned A.G.A. for the State-opposite party, and Sri Anil Kumar Verma, learned counsel for the informant.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 631 of 2025, under Sections 64(1), 308(2), 351(2) B.N.S. and 67 Information Technology Act, Police Station Chiluatal, District Gorakhpur during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. The applicant has not acted indecently with the informant/victim. Further, during the course of trial, the informant/victim was examined as PW-1. The said prosecution witness in her cross-examination has not supported the prosecution case. The testimony of the PW-1 is annexed as Annexure- SA-1 to the supplementary affidavit. The applicant is in jail since 16.12.2025 having no criminal history and if he is released on bail, he will not misuse the said liberty.

4. Learned A.G.A. and learned counsel for the informant have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that during the course of trial, the

informant/victim was examined as PW-1 and in her cross-examination she has not supported the prosecution case. The applicant has no criminal antecedents. Moreover, the applicant has remained confined for more than ten months and after submission of the charge-sheet there is no hope of early conclusion of trial, and no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, therefore, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- Shakir Ali, involved in the aforesaid case, be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence; and,

(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

October 23, 2026
SKT/-

(Vivek Varma,J.)

Digitally signed by :-
SHIVA KANT TIWARI
High Court of Judicature at Allahabad