HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 4080 of 2026

Anoop Singh @ Bhoop Singh Jatav

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ansar Ahmad, Sanjay Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. As per the report of the Chief Judicial Magistrate, Etawah, dated 27.02.2026 notice upon opposite party no.2/ informant has been personally served. However, no one appears on behalf of the said opposite party nor any counter affidavit has been filed on her behalf.

2. Heard counsel for the applicant and Sri S. S. Pandey, learned AGA for the State-opposite party. Perused the material available on record.

3. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 69 of 2025, under Sections 64(2)m, 351(3) B.N.S. and Section 5L/6 POCSO Act, Police Station- Balrai, District-Etawah, during the pendency of the trial.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. During trial, the informant, who is the mother of the victim, was examined as PW-1 and the victim was examined as P.W.-2. P.W.-1 in her examination-in-chief has not supported the prosecution case and has been declared hostile by the trial court vide order dated 26.05.2026, whereas the P.W.-2, in her cross-examination recorded on 16.07.2026, has not supported the prosecution case. The testimonies of PW-1 and PW-2 are annexed as Annexure No. SA-1 and 2 to the supplementary affidavit. The applicant is in jail since 21.11.2025 having no criminal history and if he is released on bail, he will not misuse the said liberty.

5. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that during trial, the informant (P.W.-1)(mother of the victim), in her examination-in-chief, has not supported the

prosecution case and has been declared hostile by the trial Court. The victim (P.W.-2), in her cross-examination has also not supported the prosecution case. Moreover, the applicant has no criminal antecedents and has remained confined for more than eleven 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.

7. Let the applicant- **Anoop Singh @ Bhoop Singh Jatav,** 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.

8. 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 27, 2026
Abhishek

(Vivek Varma,J.)

Digitally signed by :-
ABHISHEK SINGH
High Court of Judicature at Allahabad