HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 22141 of 2026

Vinod Gupta

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Chandra Prakash Garg
Counsel for Opposite Party(s)	:	G.A., Kaustubh Tripathi

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Case called out. Counsel for the informant is not present. On the earlier date, i.e., 14.10.2026, it was made clear that the case would not be adjourned on the ground of absence of learned counsel for the informant.

2. Heard learned counsel for the applicant and Sri N. K. Sharma, learned A.G.A. for the State and perused the record.

3. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 03 of 2026, under Sections 70(1), 87, 140(3), 123, 115(2), 351(3) B.N.S., Police Station- Atarra, District- Banda, during pendency of the trial.

4. Counsel for the applicant contends that the applicant has been falsely implicated in the present case. The first information report has been lodged belatedly. The applicant has not acted indecently with the informant/ victim. It is next contended that the informant/ victim had solemnized marriage with co-accused Krishna Nishad on 10.06.2025 at a Arya Samaj Temple, Fatehpur. Thereafter, co-accused Krishna Nishad and the informant/ victim filed Writ C No.19990 of 2025, which was disposed of vide order dated 10.09.2025. Placing reliance upon the statements of the victim recorded under Sections 180 and 183 B.N.S.S., it is contended that the victim was present at public places along with co-accused Krishna Nishad and applicant, but she did not raise any protest or alarm. Such conduct of the victim shows that she was a consenting party. Further, at this stage, there is no corroborative evidence to link the applicant with the offence. Co-accused Krishna Nishad has been granted anticipatory bail by this Court vide order dated 31.08.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No.8837 of 2026. Other co-accused Sanju Singh has been granted bail by this Court vide order dated 07.04.2026 passed in Criminal Misc. Bail Application

No.11541 of 2026. The applicant claims parity. The applicant is in jail since 13.01.2026 having no criminal history. In case he is enlarged on bail, he will not misuse the liberty of bail.

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

6. Having heard counsel for the parties and having perused the record, this Court prima facie finds that informant/ victim had solemnized marriage with co-accused Krishna Nishad on 10.06.2025 at a Arya Samaj Temple, Fatehpur. Thereafter, co-accused Krishna Nishad and the informant/ victim filed Writ C No.19990 of 2025, which was disposed of vide order dated 10.09.2025. As per the statements of the victim recorded under Sections 180 and 183 B.N.S.S., she was present at public places along with co-accused Krishna Nishad and applicant but she did not raise any protest or alarm. Co-accused Krishna Nishad has been granted anticipatory bail by this Court and other co-accused Sanju Singh has been granted bail by this Court. At this stage, there is no corroborative evidence to link the applicant with the offence. Further, the applicant has no criminal antecedents and has remained confined for more than nine months and after submission of charge sheet there is no hope of early conclusion of trial, more so when 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, without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant, **Vinod Gupta** involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

i. the applicant shall not tamper with the prosecution evidence;

ii. the applicant shall not pressurize the prosecution witness;

iii. the applicant shall appear on each and every date fixed by the trial court.

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 23, 2026

Abhishek

(Vivek Varma,J.)

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