HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 32182 of 2026

Faeem

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Dileep Kumar
Counsel for Opposite Party(s)	:	G.A., Najakat Ali

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.

2. Heard Sri Dileep Kumar, learned counsel for the applicant, Ms. Rehana Siddiqui, learned Advocate holding brief of Sri Najakat Ali, learned counsel for informant and Dr. S.B. Maurya, learned AGA-I for the State.

3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 181 of 2026, under Sections 333, 64, 352, 351(3), 115(2) BNS, Police Station Shishgarh, District Bareilly during pendency of the trial.

4. Learned counsel for the applicant submits, however, as per allegation, on the point of knife applicant committed rape upon the informant who was 19 years old and even prepared her obscene video but entire allegations leveled against the applicant are totally false.

5. He further submits, FIR of the present case was lodged after two months and even during investigation the alleged video of the victim could not be recovered and this fact also clearly suggests that entire allegation leveled against applicant is totally false.

6. He further submits, applicant is next door neighbor of the victim and both were having affair and when this fact was revealed to her family members then father of the victim lodged FIR of the present case. He further submits, even story narrated by the victim appears to be unconvincing.

7. He further submits, applicant is not having any criminal history and in the

present matter he is in jail since 28.06.2026.

8. Per contra, learned AGA as well as learned counsel for informant opposed the prayer for bail and submit, from the statements of victim it reflects, she stated that applicant committed rape upon her on the point of knife but could not dispute the fact that there is delay of two months in lodging the FIR of the present case.

9. They also could not dispute the fact that victim is major girl aged about 19 years.

10. I have heard learned counsel for the parties and perused the record of the case.

11. However, from the FIR and statements of victim recorded during investigation it reflect, applicant on the point of knife committed rape upon victim but there is delay of more than two months in lodging the FIR of the present case.

12. Further, even victim is major girl aged about 19 years and story narrated by her prima facie does not appears to be convincing.

13. Further, applicant is not having any criminal history and in the present matter he is in jail since 28.06.2026.

14. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

15. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

16. Let the applicant - Faeem be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

17. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

18. 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.

October 27, 2026
AK Pandey

(Sameer Jain,J.)

Digitally signed by :-
ANUPAM KUMAR PANDEY
High Court of Judicature at Allahabad