HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33010 of 2026

Indraprabhakar @ Ashu

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shad Khan, Shubham Pratap Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Today power has been filed by Sri Ajad Singh and Mohd Saeed on behalf of the informant alongwith counter affidavit which is taken on record.

2. Heard Sri Shad Khan, learned counsel for the applicant; Sri C. P. Singh, Advocate holding brief of Sri Ajad Khan, learned counsel for the informant and Sri Ajay Singh, learned AGA for the State-respondent.

3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 432 of 2025, under Sections 137(2), 64(1), 87 BNS and section 5J(ii)/6 POCSO Act, Police Station Bakewar, District Etawah, during pendency of the trial in the court below.

4. Learned counsel for the applicant submitted that however as per allegation applicant enticed away the minor daughter of the informant and thereafter made physical relationship with her but entire allegations levelled against the applicant are totally false.

5. He further submitted that actually victim is major girl aged about 18 years and she herself had gone alongwith the applicant and she even performed marriage with him and even she conceived with the applicant and this fact is evident from the statement of the victim recorded under section 180 BNSS.

6. He further submitted that however applicant was not having statement of the victim recorded under section 183 BNSS but this statement has been discussed by learned court concerned while rejecting the bail of the applicant and it reflects, in this statement also she reiterated her earlier version given under section 180 BNSS.

7. He further submitted that even as per school record victim was more than 17 years of age.

8. He further submitted that applicant is having no previous criminal history and he is in jail in the present matter since 14.5.2026.

9. Per contra, learned AGA opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

10. Learned counsel for the informant submitted that mater has been compromised and informant is ready to perform marriage of the victim i.e. her daughter with the applicant and informant is not having any objection if applicant be enlarged on bail.

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

12. From the statement of the victim recorded under section 180 BNSS it reflects she had already performed marriage with the applicant and she also conceived with him. Further even from her statement recorded under section 183 BNSS which was produced by the learned AGA during the course of argument it reflects, in this statement also she did not make any accusation against the applicant and reiterated her earlier version given under section 180 BNSS.

13. Further, even as per school record, victim was more than 17 years old and informant has no objection if applicant be enlarged on bail.

14. Further, applicant is having no previous criminal history and he is in jail in the present matter since 14.5.2026 i.e. for last five and half months.

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

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

17. Let the applicant-**Indraprabhakar @ Ashu,** 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.

18. 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.

19. 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
Ankita

(Sameer Jain,J.)

Digitally signed by :-
ANKITA SRIVASTAVA
High Court of Judicature at Allahabad