HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33197 of 2026

Rajnish Yadav

.....Applicant(s)

Versus

State Of U .P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Bipin Kumar Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri B.K. Tripathi, learned counsel for applicant, Sri Shatrughan Yadav, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.204 of 2026, under Sections 64(1), 115(2), 351(3), 352 BNS, Police Station Nichlaul, District Maharajganj, during pendency of the trial.

3. Learned counsel for applicant submits, however, as per allegation, applicant under the false promise of marriage made physical relationship with victim i.e. informant of the case, but entire allegation levelled against him are totally false.

4. He next submits, admittedly informant, i.e. victim of the case is a major girl aged about 22 years and applicant is also 23 years old and both were having friendship but subsequently dispute arose between both of them and thereafter she lodged FIR of the present case.

5. He next submits, applicant is not having any criminal history and in the present matter he is in jail since 26.07.2026.

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

7. I have heard both the parties and perused the record of the case.

8. However, FIR of the present case was lodged by victim herself and she in the FIR and in her both the statements recorded under Sections 180 and 183 BNSS stated that applicant under false promise of marriage sexually exploited her but admittedly victim is major girl aged about 22 years and applicant also appears to be 23 years old and considering the statements of victim, prima facie, she appears to be consenting party.

9. Further, applicant is not having any criminal history and in the present matter he is in jail since 26.07.2026 i.e. for last three months.

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

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

12. Let the applicant - **Rajnish Yadav** 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.

13. 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.

14. 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
Kumar Manish

(Sameer Jain,J.)

Digitally signed by :-
MANISH TRIPATHI
High Court of Judicature at Allahabad