2026:AHC:208177

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33262 of 2026

Deepak Maddeshiya

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Yakub Ali
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68
(Sr. No.117 of 278)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A. informed that notice to the informant has been served on 17.09.2026.

2. Heard Sri Yakub Ali, learned counsel for the applicant, Sri Ram Mohit Yadav, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.159 of 2026, under Sections 76 & 333 B.N.S. and 9/10 POCSO Act, Police Station Kubersthan, District Kushinagar, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The allegations are per se false. The F.I.R. itself is delayed as no time of offence is mentioned in it. Even the statement of the victim recorded u/s 183 B.N.S.S. is contradictory to the allegations made in the F.I.R. There is no medical corroboration with the alleged offence. The applicant has no criminal history and is in jail since 11.08.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

6. Considering the facts and circumstances of the case, submissions made by

learned counsel for the parties, the evidence on record, taking into consideration the fact that there is no medical corroboration of the alleged incident and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

7. Let the applicant- **Deepak Maddeshiya** be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

8. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 5, 2026
Ashok Gupta

Digitally signed by :-
ASHOK KUMAR GUPTA
High Court of Judicature at Allahabad