HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33435 of 2026

Sonu Yadav

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shambhavi Nandan
Counsel for Opposite Party(s)	:	Anurag Rajput, G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Shambhavi Nandan, learned counsel for the applicant, Sri Mohd. Rehan Ansari, advocate holding brief of Sri Anurag Rajput, learned counsel for the informant and Sri Kunwar Tejendra Bahadur, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.177 of 2026, under Sections 137(2), 87, 65(1) BNS and Section 3/4 POCSO Act, Police Station Gurshaiganj, District Kannauj, during pendency of the trial.

3. Learned counsel for the applicant submits, however applicant is named in the FIR and according to the FIR, he enticed away the daughter of informant aged about 14 years but during investigation when victim was recovered and her statement was recorded then she did not even disclose the name of applicant and she categorically stated that her parents used to torture her and therefore she left her home and therefore from the statements of victim prima facie applicant appears to be innocent.

4. He next submits applicant is not having any criminal history and in the present matter he is in jail since 10.05.2026 i.e. for last more than five and half months.

5. Per contra, learned AGA as well as learned counsel for the informant however opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

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

7. However, applicant is named in the FIR which was lodged by mother of the victim aged about 14 years and according to the FIR, applicant enticed away her daughter but when during investigation after recovery of the victim her statement was recorded by the I.O. then she in her statement recorded under Section 180 BNSS did not disclose the name of applicant and even when her statement under Section 183 BNSS was recorded then also she reiterated her statement under Section 180 BNSS and did not disclose the name of applicant and in both the statements she categorically stated that due to the harassment and torture of her parents she left her house. Considering the statements of victim recorded during investigation, prima facie applicant appears to be innocent.

8. Further, applicant is not having any criminal history and in the present matter he is in jail for last more than five and half months.

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

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

11. Let the applicant - **Sonu 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.

12. 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.

13. 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.

(Sameer Jain,J.)

October 29, 2026
Shahroz

Digitally signed by :-
SHAHROJ ALAM
High Court of Judicature at Allahabad