2026:AHC:208182

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33417 of 2026

Mohit

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Noor Muhammad, Yogesh Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

(Sr. No.123 of 278)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Counter affidavit filed on behalf of the State is taken on record. Learned counsel for the applicant does not propose to file any rejoinder affidavit.

2. Heard Sri Noor Muhammad, learned counsel for the applicant, Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.328 of 2026, under Sections 87, 115(2), 76, 351(2) B.N.S., Police Station North, District Firozabad, 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 made in the F.I.R. and in the statement of the victim recorded u/s 183 B.N.S.S. cannot be relied upon rather she seems to be a consenting party as she has travelled all the way from Mathura to Bhopal with the applicant. The applicant has no criminal history and is in jail since 13.08.2026. 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 the victim seems to be a consenting party 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- **Mohit**, 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