2026:AHC:208105

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35430 of 2026

Vikky

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Himanshi Nausran, Ulajhan Singh Bind
Counsel for Opposite Party(s) : G.A.

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

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A. has informed that notice has been served on the informant on 24.09.2026.

2. Heard Sri Ulajhan Singh Bind, learned counsel for the applicant, Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 0121 of 2026, under Sections 137(2), 62, 3(5) of B.N.S. and Sections 16 and 17 of POCSO Act, Police Station Ramala, District Baghpat, 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 date of the victim is 10.08.2009 as such she is about 16 years 10 months old but by look she seems to be major. The said age has been deliberately suppressed by the informant.

5. Learned counsel for the applicant has further argued that the victim is a consenting party with co-accused Rahul whereby she has stated that she had established corporeal relationship with him out of her own free will and was pregnant. The victim has not whisper a single word against the applicant in the said statement recorded under Section 183 B.N.S.S. The applicant has no criminal history and is in jail since 14.06.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. 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.

7. 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 victim appears to be consenting party as per her statement recorded u/s 183 B.N.S.S. 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**.

8. Let the applicant- **Vikky**, 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.

9. 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