HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10804 of 2026

Sahil

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Adarsh Ojha, Ashwini Kumar Ojha
Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant; and Learned A.G.A. for the State.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.19 of 2026, under Sections 351(2), 3(5) of the B.N.S., 2023; and Section 3 of the Uttar Pradesh Prohibition of Unlawful Coversion of Religion Act, 2021 Police Station – Mahila Thana, District Jhansi, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.

3. Learned counsel for the applicant has contended that the applicant has been falsely implicated in the present case. The primary allegations of taking advantage of the victim, sexually assaulting her and forcing her to convert to another religion are against the co-accused Anil alias Aslam. The applicant is the nephew (sister's son) of the co-accused Anil alias Aslam. Learned counsel has further submitted that the applicant's father Irshad Khan and mother along with other family members have also been implicated in this case. The allegations are an afterthought and have only been levelled to wreak vengeance and destroy the reputation of the entire family of Anil alias Aslam. Applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for bail but does not dispute the factual submissions made by the Learned counsel for the applicant.Learned A.G.A. however has added that FIR, statement under Section 180 B.N.S.S. and 183 B.N.S.S. make consistent allegations against the applicant and he may not be considered for grant of

anticipatory bail.

5. I have considered the submissions made by the Learned counsel for the parties.

6. From the perusal of the FIR, statements under Section 180 and 183 B.N.S.S., the allegations of sexual assault and making a video then threatening the victim with making the said video viral appear to primarily be against co-accused Anil Alias Aslam. In the statement given to the doctor, there are no allegations of seeking to forcibly convert the victim to another religion. In fact the allegations in the statement given to the doctor are only against the co-accused Anil alias Aslam, Pankaj and some companions of Pankaj. Taking into account the entire facts and circumstances of the case, especially the contradictions between the statements given to the police, the Magistrate and the doctor, the false implication of the applicant cannot be ruled out. Applicant has no criminal antecedents.

7. Taking into consideration the entire facts and circumstances of the case, as discussed above, I deem it appropriate to enlarge the applicant on anticipatory bail.

8. The anticipatory bail application of the applicant is **allowed**.

9. In the event of the arrest of the applicant- **Sahil,** involved in the aforesaid case crime, he shall be released on anticipatory bail, on his furnishing a personal bond and surety in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

i. The applicant shall make himself available for interrogation by a police officer as and when required;

ii. The applicant shall not, directly or indirectly make any 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 to any police officer;

iii. The applicant shall not leave India without the previous permission of the Court;

iv. The applicant shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

October 24, 2026
Kushal

Digitally signed by :-
KUSHAL AGRAWAL
High Court of Judicature at Allahabad