HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37845 of 2026

Meharban

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohd. Kalim, Mohd. Khalid
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Mohd. Kalim, learned counsel for the applicant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.143 of 2004, under Sections 363, 366 IPC, Police Station Mandi, District Saharanpur, 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. It is a matter of consensual relationship between two adolescents. The victim and applicant were living happily as husband and wife. The other co-accused persons faced trial and have been acquitted by the trial court vide order dated 21.3.2007. It is a clear cut case of false implication of the applicant.

5. It is further argued by learned counsel for the applicant that the only allegation against the applicant is that he absconded; however, he had no knowledge of the pendency of the case against him and was living with the victim as her husband. It is also contended that the principle of stare decisis is applicable to the present case, as the other co-accused persons have already been acquitted. The applicant has no criminal history and is in jail since 27.7.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. Learned State Law Officer 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, 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- **Meharban**, 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 24, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad