HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38147 of 2026

Kallu @ Ajaypal Singh

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ravi Shankar Tripathi, Shubhankar Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. As informed by learned AGA, notice to the informant has been served on 13.10.2026 but none is present on behalf of the informant.

2. Heard Sri Ravi Shankar Tripathi, learned counsel for the applicant and Sri Arun Kumar Mishra, learned A.G.A. for the State and also perused the material placed on record.

3. Applicant seeks bail in **Case Crime No.** 238 of 2026, **under Sections** 191(2), 333, 351(3),115(2), 137(2), 352, 61(2), 96 of BNS, **Sections** 16/17 of POCSO Act and **Section** 3(2)V of SC/ST Act, **Police Station** - Dataganj, **District** - Budaun, during the pendency of trial.

4. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case and the allegations levelled against him are *per se* false. It is submitted that the victim, in her statement, has merely alleged that the applicant was brandishing a firearm and pointed it at the head of her maternal grandfather, but she has made no allegation of sexual assault whatsoever against the applicant. It is further argued that so far as the co-accused Golu @ Rupesh is concerned, the victim was a consenting party and their relationship foundered subsequently as they belong to different castes. The applicant has no criminal history, has been incarcerated since 05.09.2026, and his case stands on a completely different footing from that of the main accused persons, namely Golu @ Rupesh and Aman.

5. Considering the facts and circumstances of the case, the submissions

made by the learned counsel for the parties, the nature of the offence, and the severity of punishment, as well as considering the fact that there is no allegation of sexual assault against the applicant and that his case is distinguishable from that of the main accused persons, this Court is of the *prima facie* view that it is a fit case to release the applicant on bail.

6. Accordingly, the bail application is **allowed**. Let the applicant- **Kallu @ Ajaypal Singh,** be released on bail 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.

7. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

October 27, 2026
Siddhant

(Krishan Pahal,J.)

Digitally signed by :-
SIDDHANT SAHU
High Court of Judicature at Allahabad