HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37811 of 2026

Akash

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Anurag Kumar Pandey, Vipin Gangwar
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned AGA has informed that notice to the informant has been served on 14.10.2026.

2. Heard Sri Vipin Gangwar, learned counsel for the applicant, Sri Deepak Kumar Singh, learned AGA for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.394 of 2026, under Section 140(4) BNS read with section 5(m)/ 6 of Protection of Children from Sexual Offences Act, Police Station Meerganj, District Bareilly, 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 FIR is delayed by about nine hours and there is no explanation of the said delay caused. There is no medical corroboration of the incident except the complaint of pain expressed by the victim, which cannot be analyzed. There is no visible injury except abrasion on the knee of victim, which can be caused by fall. The applicant has no criminal history and is in jail since 24.8.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned AGA 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 delay in institution of FIR coupled with the fact that there is no medical corroboration of the alleged incident, 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- **Akash**, 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 24, 2026
Vikas Verma

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