2026:AHC:227265

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38722 of 2026

Ram Pratap Upadhyay @ Rinku

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Prem Narayan Singh, Ram Bahadur
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A. has informed that the notice to the informant has been served on 12.10.2026.

2. Heard Sri Anil Kumar Srivastava, learned Senior Counsel assisted by Sri Ram Bahadur, learned counsel for applicant, Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.

3. The present bail application has been filed by the applicant in Case Crime No.92 of 2026, under Sections 126(2), 140(4) of Bhartiya Nyay Sanhita, 2023 and Section 5M/6 of Protection of Children from Sexual Offences Act, Police Station Naraura, District Bulandshahr, with the prayer to enlarge him on bail.

4. Learned counsel for the applicant has stated that the allegations are per se false. The applicant has been falsely implicated in the present case due to business rivalry, as both parties have Prasad shops in the vicinity. There is overwriting in the medico-legal examination report. The applicant has been in jail since 25.04.2026 and is ready to cooperate with the trial. In case the applicant is released on bail, he undertakes not to misuse the liberty of bail.

5. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the FIR was promptly lodged and the incident is medically corroborated, as stated by the victim in her statement recorded under Section 183 of the B.N.S.S. As such, the applicant is not entitled to bail.

6. After hearing learned counsel for the parties and taking into consideration the statement of the victim recorded under Section 183 of the B.N.S.S. and the fact that the FIR was promptly lodged, I do not find it to be a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

7. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, as early as possible, in accordance with law, if there is no legal impediment.

8. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

November 2, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad