



HIGH COURT OF JUDICATURE AT ALLAHABAD

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

Neha Sharma Alias Radhakishori

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anjul Dwivedi, Sai Girdhar, Vandana Mishra, Vinay Kumar Tripathi
Counsel for Opposite Party(s)	:	G.A., Rajeev Trivedi

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Sai Girdhar, learned counsel for the applicant, Shri Rajeev Trivedi, learned counsel for the first informant, Shri O.P. Singh, learned A.G.A. for the State and perused the record.
2. The present application has been moved seeking anticipatory bail in Case Crime no.591 of 2025, under Sections 140(4), 115(2), 351(2), 324(4) of B.N.S. and Section 3/4 POCSO Act, Police Station Govardhan, District Mathura, with the prayer that in the event of arrest, applicant may be released on bail.
3. It is contended by learned counsel for the applicant that there is no radiological age available on record regarding age of the victim and the victim is going to get married and the invitation card is attached with the application memo. It was also submitted that applicant undertakes to co-operate during trial and she would appear as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, she shall not misuse the liberty of bail and will co-operate with the investigation and would obey all conditions of bail.
4. On the other hand, learned counsel for the first informant has opposed the application for anticipatory bail and it has been submitted by him that the victim was aged about 13 years when incident took place and the incident continued for the last four years till lodging of the first information report and the offence is of very heinous nature.
5. Learned AGA has also opposed the application for anticipatory bail and it has been submitted by him that as per his instructions, the age of the victim is 15.08.2008 as per her transfer certificate of Class-III.
6. In reply, learned counsel for the applicant submits that there is no radiological age determination of the victim, therefore, the transfer certificate of Class-III cannot be

believed in view of the settled law regarding determination of age of the victim in POCSO cases.

7. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

8. In the event of arrest of the applicant- **Neha Sharma Alias Radhakishori** involved in the aforesaid case crime shall be released on interim anticipatory bail till 26.02.2026 on her furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-

(i) The applicant shall not tamper with evidence and that she would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(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/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicant would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicant shall not leave India without prior permission of the Court concerned.

9. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

10. List this case on **26.02.2026 as fresh at 02:00 P.M.**

11. Learned AGA is directed to obtain updated instructions in the matter by the next date.

February 10, 2026
RKM

(Jitendra Kumar Sinha,J.)