



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 23554 of 2025

Mithlesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Dhananjay Shukla, Rakesh Kumar Mishra
Counsel for Opposite Party(s) : Anjeet Singh, G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, Mr. Anjeet Singh, learned counsel for the informant, learned A.G.A for the State and perused the record.
2. The applicant-**Mithlesh** has filed the instant bail application with a prayer to enlarge him on bail in Case Crime No. 10 of 2025, under Sections 87, 137(2), 64 BNS and Section 3/4 POCSO Act, Police Station Sultanpur Ghosh, District Fatehpur, during the pendency of the trial.
3. Learned counsel for the applicant submits that the statements made under Section 180 and 183 of B.N.S.S. 2023 indicate that it was the victim who accompanied the applicant on her own will and there is no report regarding sexual assault. It is a matter of consensual relationship. The applicant and the victim are ready to solemnize marriage with consent of their families according to Hindu rites. He next submits that the applicant has been languishing in jail since 05.02.2025.
4. *Per contra*, learned A.G.A. has opposed the prayer for bail of the applicant by contending that the innocence of the applicant cannot be

adjudged at pre trial stage, therefore, he does not deserve any indulgence.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties, nature of evidence, and all attending facts and circumstances of the case, without expressing any opinion on merits of the case, this Court is of the view that the applicant may be enlarged on interim bail.

6. Let applicant-**Mithlesh** involved in Case Crime No. 10 of 2025, under Sections 87, 137(2), 64 BNS and Section 3/4 POCSO Act, Police Station Sultanpur Ghosh, District Fatehpur, be **released on interim bail** for a period of **four weeks** from today on furnishing a personal bond and two local sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions:-

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear on the date fixed by the trial court.
- iv) The applicant shall not commit an offence similar to the offence of which the applicant is accused, or suspected of the commission.
- v) 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 such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

7. In case of breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

8. List on **21.04.2026** on which date, further supplementary affidavit shall be filed by learned counsel for the applicant indicating up-to-date status in the matter.

(Dr. Gautam Chowdhary,J.)

March 20, 2026

Prashant D.