



2026:AHC:104354

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 42576 of 2025**

Azim

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite  
Party(s)

---

Counsel for Applicant(s) : Radhey Shyam Tripathi, Rama Shankar  
Mishra, Ramendra Kumar Tripathi

Counsel for Opposite Party(s) : G.A.

---

**Court No. - 65**

(Sl. No. 95 out of 259)

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised. As informed by learned State Law Officer, notice to the informant has been served on 2.12.2025.

2. Heard Sri Rama Shankar Mishra, learned counsel for the applicant as well as Sri J.K. Chaurasia, learned State Law Officer and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 227 of 2025, under Sections 64, 351(2) BNS and 3/4 POCSO Act and 67 IT Act, Police Station Dilari, District Moradabad, 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 eight years and there is no explanation of the said delay caused. The matter is between two relatives, as victim is stated to be sister-in-law of the applicant and he did not let her marry her with someone else after establishing corporeal relation with her. The said allegations are false. There is no medical corroboration of the incident. There is nothing on record to suggest that applicant made viral any indecent photo or video of the victim.

5. Learned counsel for the applicant has further stated that there is no criminal history of the applicant. The applicant is languishing in jail since 11.11.2025 and he is ready to cooperate with trial. In case, the applicant is

released on bail, he will not misuse the liberty of bail.

6. Learned State Law Officer has vehemently opposed the bail application but could not dispute the submissions made by the counsel for the applicant.

7. 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 FIR; there being no medical corroboration of the incident; there being nothing on record to suggest that applicant made viral any indecent photo or video of the victim and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Azim**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to verification of sureties, with the condition that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

**(Krishan Pahal,J.)**

**May 6, 2026**

Shalini