OFFICE OF THE DISTRICT JUDGE, PRAYAGRAJ.

ADMIN. ORDER NO. 96 **Dated : Feb.** 07 **, 2026**

ORDER

In compliance of **Hon'ble High Court's Letter No. 1726/ Admin.G-II Dt.06.02.2026** regarding compliance of Order/Judgement dt. 19.12.2025 passed by **Hon'ble High Court** in **Criminal Misc. Bail Application Nos. 35453 of 2025 titled Ramnaresh vs. State of U.P. And 03 Others** and **36835 of 2025 titled Anil Tripathi vs State of U.P. And 3 Others**, following order is being passed with immediate effect:

(a) The System Officer is directed to provide a soft/pdf copy of order/judgement dt. 19.12.2025 passed by **Hon'ble High Court** in aforementioned matters, along with soft copy of Hon'ble High Court's Letter No. **1726/Admin.G-II Dt. 06.2.2026**, to all the Judicial Officers of Judgeship for information & strict compliance in letter & spirit.

(b) A hard-copy of above mentioned order/judgement dt. 19.12.2025 passed by **Hon'ble High Court** in aforementioned matters, along with soft copy of Hon'ble High Court's above Letter be also circulated among all the Judicial Officers of the Judgeship for information & strict compliance in letter & spirit.

(c) All the Judicial Officers of the Judgeship are hereby sensitized to **adhere to the statutory requirement of Section 33(7) of the POCSO Act and Section 228A of the IPC and mask the name of victim while recording his/her statement under Sections 180 & 183 , BNSS, as per law laid down by the Apex Court in Nipun Saxena versus Union of India.**

(d) In compliance of order/judgement dt.12.08.2025 passed by Hon'ble High Court in Crl. Misc. Application u/s 528 BNSS No. 6400 of 2025 titled Smt. Bacchi Devi Vs State of UP And Another, a meeting of all Judicial Officers of the Judgeship is convened on **10.02.2026** at **4.35 PM**, in the **Meeting Hall,** situated at the II-Floor of Newly constructed 24-Court Room Building of District Court Prayagraj for discussion and deliberation regarding compliance of order/judgement dt. 19.12.2025 passed by **Hon'ble High Court** in **Criminal Misc. Bail Application Nos. 35453 of 2025 titled Ramnaresh vs. State of U.P. And 03 Others** and **36835 of 2025 titled Anil Tripathi vs State of U.P. And 3 Others**,

Inform all concerned for strict compliance.

7-2-2026

(**Satya Prakash Tripathi**)
District & Sessions Judge
Prayagraj.

Dated : Feb. 07, 2026

HIGH COURT AT ALLAHABAD

Through e-mail

From,

Manjeet Singh Sheoran, HJS
Registrar General
High Court of Judicature at,
Allahabad

To,

All the District and Sessions Judges/OSD
All the Principal Judges, Family Courts
All the Presiding Officers of Commercial Courts, MACTs & LARRAs
State of Uttar Pradesh

No. 1726 **/Admin G-II/Allahabad** **Dated** 06/02/2026

Sub: Regarding Compliance of Order/Judgement dated 19.12.2025 passed by Hon'ble this Court in Criminal Misc. Bail Application Nos. 35453 of 2025 titled Ramnaresh vs State of U.P. And 03 Others and **36835 of 2025 titled Anil Tripathi vs State of U.P. And 3 Others.**

Madam/Sir,

During the course of hearing of aforesaid cases, Hon'ble Court, vide order dated 19.12.2025 ***(pdf copies enclosed),*** has observed that statutory requirement of **Section 33 (7) of the POCSO Act and Section 228A of the IPC** have not been followed inasmuch **as while recording the statements of the victim under Section 180 and 183 BNSS, his name has been mentioned and not masked** as per law laid down by the Apex Court in **Nipun Saxena versus Union of India.**

In this regard, I am directed by Hon'ble Court to send the **pdf** copy of aforesaid order dated 19.12.2025 passed by Hon'ble Court to your goodself for **sensitizing the Judicial Officers of your judgeship to adhere to the statutory requirement of Section 33 (7) of the POCSO Act and Section 228 A of the IPC and mask the name of victim while recording his/her statement under Sections 180 & 183, BNSS.**

Encl:- As above

Yours faithfully,

5-2-26

Registrar General

No. **/Admin G-II/Allahabad** **Dated / /2026**

1. **The Director General of Police,** Uttar Pradesh, Luckow for sensitizing the Police Officers, in this regard.
2. **The Director, Judicial Tranining & Research Institute, Lucknow** for information.

Registrar General

2025:AHC:230526

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35453 of 2025

Ramnaresh

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Atharva Dixit, Pranav Tiwary
Counsel for Opposite Party(s) : Sushmita Mukherjee, G.A., Naresh Kumar Pal

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Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Pranav Tiwary, learned counsel for the applicant, Shri Shashank Singh, learned Brief Holder for the State, Shri Naresh Pal, learned counsel for the first informant as also Ms. Sushmita Mukherjee, learned counsel on behalf of the High Court Legal Services and perused the records.

The instant bail application under Section 483 of BNSS at the instance of the applicant Ramnaresh has been filed seeking enlargement on bail in Case Crime No. 8 of 2025, under Sections 123, 115 (2), 351 (2) of BNS and Section 5g, 51/6 of POSCO Act, Police Station Lavedi, District Etawah during the pendency of the trial before the Court below. The bail application of the applicant before the Court below was rejected by the learned Special Judge (POSCO Act)/Addl. Sessions Judge, Etawah vide order dated 18.6.2025 and the applicant is languishing in jail since 10.5.2025.

Shri Pranav Tiwary, learned counsel appearing for the applicant has vehemently argued that the applicant is entirely innocent and has been falsely roped in this very case crime number for ulterior motives. The FIR giving rise to the case crime number, in question, was lodged by the father of the victim nominating the applicant and one other co-accused persons alleging that the co-accused persons Anil Tripathi, lured the minor son of the first

informant to a property adjacent to the residence of the victim recorded in the name of the applicant where the victim is alleged to have been intoxicated by mixing something in his soft drink and thereafter sodomised by both of them. It has been further alleged that the entire act was recorded by the co-accused and the said recording was used to blackmail the victim and sodomised him for several days.

Learned counsel for the applicant has argued that the entire incident is concocted and nothing has occurred as alleged. The FIR itself has been lodged after 11 days which establishes the falsity of the claim. It is also argued that the medical examination of the victim does not corroborate the FIR version inasmuch as three injuries upon the body of the victim are reported, two of which are abrasion on the lower back region and third one mentions pain, swelling and inflammation in the anal region. The stage of the injuries is absent from the report. The examination itself having been conducted after 11 days of the alleged incident. It is also argued that there is variance in the version of the FIR, statement of the victim under Section 180 BNSS and under Section 183 BNSS. The statements of the eye witnesses do not inspire confidence. There is no allegation of any sexual assault on 11.4.2025. It is also argued that no alleged video of the incident has been recovered to implicate the applicant in the offence alleged. It is submitted that charge sheet against the applicant has already been filed on 20.6.2025 and cognizance has also been taken on 25.6.2025 and as such, the custodial interrogation of the applicant is no longer required. Not a single witness has yet been examined so far. The applicant is 63 years of age and has no criminal history. Hence, bail has been prayed for.

Per contra, learned AGA, learned counsel for the first informant as also learned counsel appearing for the High Court Legal Services Committee have vehemently opposed the bail plea by submitting that the applicant is a named accused as is involved in the commission of the crime in question. The investigating officer during the course of the investigation has collected sufficient

credible and cogent evidence against the applicant to establish his complicity in the commission of the crime and filed charge sheet. Dr. Shivam Rajpoot, who examined the victim, in his statement has supported the medical report of the victim. Learned counsels, however, could not controvert the submissions of the learned counsel for the applicant or the fact that charge sheet against the applicant has already been filed and no witness has been examined so far. Ms. Sushmita Mukherjee, learned counsel appearing for the High Court Legal Services Committee further submits that the statutory requirement of Section 33 (7) of the POCSO Act and Section 228A of the IPC have not been followed inasmuch as while recording the statements of the victim under Sections 180 and 183 BNSS his name has been mentioned and not masked as per law laid down by the Apex Court in ***Nipun Saxena versus Union of India,*** reported in ***2019 (2) SCC 703*** and reiterated numerous times in various decisions one amongst them being ***SLP (Criminal), Diary No.(s) 8058/2024 (Utpal Mandal @ Utpal Mondal versus the State of West Bengal and another)*** cited at bar. The Court finds substance in the submission of Ms. Mukherjee.

In the opinion of the Court, the sensitization of the Judicial Officers as also the police officers is required to be undertaken to ensure strict compliance of this mandatory requirement. The Registrar General of this Court shall ensure that the needful is done in this regard.

Considering all above facts and circumstances, the nature of accusations, period of incarceration, status of trial, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is ***allowed***.

Let the accused-applicant, **Ramnaresh**, involved in above mentioned case crime number be released on bail, on his

executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.

2. The applicant will not indulge in any criminal activity.

3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

(Ashutosh Srivastava,J.)

December 19, 2025
Ravi Prakash

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

2025:AHC:230544

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36835 of 2025

Anil Tripathi

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Anurag Dubey
Counsel for Opposite Party(s) : G.A., Husnaara Khatoon, Naresh Kumar Pal

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Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Anurag Dubey, learned counsel for the applicant, Shri Shashank Singh, learned Brief Holder for the State, Shri Naresh Pal, learned counsel for the first informant as also Ms. Sushmita Mukherjee, learned counsel on behalf of the High Court Legal Services and perused the records.

The instant bail application under Section 483 of BNSS at the instance of the applicant Anil Tripathi has been filed seeking enlargement on bail in Case Crime No. 8 of 2025, under Sections 123, 115 (2), 351 (2) of BNS and Section 5 (Cha), (Tha)/6 of POSCO Act, Police Station Lavedi, District Etawah during the pendency of the trial before the Court below. The bail application of the applicant before the Court below was rejected by the learned Special Judge (POSCO Act)/Addl. Sessions Judge, Etawah vide order dated 3.7.2025 and the applicant is languishing in jail since 30.4.2025.

Shri Anurag Dubey, learned counsel appearing for the applicant has vehemently argued that the applicant is entirely innocent and has been falsely roped in this very case crime number for ulterior motives. The FIR giving rise to the case crime number, in question, was lodged by the father of the victim nominating the applicant and one other co-accused person alleging that the applicant Anil Tripathi, lured the minor son of the first informant

to a property adjacent to the residence of the victim recorded in the name of the co-accused Ram Naresh where the victim is alleged to have been intoxicated by mixing something in his soft drink and thereafter sodomized by both of them. It has been further alleged that the entire act was recorded by the applicant and the said recording was used to blackmail the victim and sodomized him for several days.

Learned counsel for the applicant has argued that the entire incident is concocted and nothing has occurred as alleged. The FIR itself has been lodged after 11 days which establishes the falsity of the claim. It is also argued that the medical examination of the victim does not corroborate the FIR version inasmuch as three injuries upon the body of the victim are reported, two of which are abrasion on the lower back region and third one mentions pain, swelling and inflammation in the anal region. The stage of the injuries is absent from the report. The examination itself having been conducted after 11 days of the alleged incident. It is also argued that there is variance in the version of the FIR, statement of the victim under Section 180 BNSS and under Section 183 BNSS. The statements of the eye witnesses do not inspire confidence. There is no allegation of any sexual assault on 11.4.2025. It is also argued that no alleged video of the incident has been recovered to implicate the applicant in the offence alleged. It is submitted that charge sheet against the applicant has already been filed on 20.6.2025 and cognizance has also been taken on 25.6.2025 and as such, the custodial interrogation of the applicant is no longer required. Not a single witness has yet been examined so far. The applicant has no criminal history. Hence, bail has been prayed for.

Per contra, learned AGA, learned counsel for the first informant as also learned counsel appearing for the High Court Legal Services Committee have vehemently opposed the bail plea by submitting that the applicant is a named accused as is involved in the commission of the crime in question. The investigating officer during the course of the investigation has collected sufficient

credible and cogent evidence against the applicant to establish his complicity in the commission of the crime and filed charge sheet. Dr. Shivam Rajpoot, who examined the victim, in his statement has supported the medical report of the victim. Learned counsels, however, could not controvert the submissions of the learned counsel for the applicant or the fact that charge sheet against the applicant has already been filed and no witness has been examined so far. Ms. Sushmita Mukherjee, learned counsel appearing for the High Court Legal Services Committee further submits that the statutory requirement of Section 33 (7) of the POCSO Act and Section 228A of the IPC have not been followed inasmuch as while recording the statements of the victim under Sections 180 and 183 BNSS his name has been mentioned and not masked as per law laid down by the Apex Court in ***Nipun Saxena versus Union of India,*** reported in ***2019 (2) SCC 703*** and reiterated numerous times in various decisions one amongst them being ***SLP (Criminal), Diary No.(s) 8058/2024 (Utpal Mandal @ Utpal Mondal versus the State of West Bengal and another***) cited at bar. The Court finds substance in the submission of Ms. Mukherjee.

In the opinion of the Court, the sensitization of the judicial officers as also the police officers is required to be undertaken to ensure strict compliance of this mandatory requirement. The Registrar General of this Court shall ensure that the needful is done in this regard.

Considering all above facts and circumstances, the nature of accusations, period of incarceration, status of trial, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is ***allowed***.

Let the accused-applicant, **Anil Tripathi**, involved in above mentioned case crime number be released on bail, on his

executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.

2. The applicant will not indulge in any criminal activity.

3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

(Ashutosh Srivastava,J.)

December 19, 2025
Ravi Prakash

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