



2026:AHC:166136

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26545 of 2026

Rajendra And Another

.....Applicant(s)

Versus

State Of U.P. Thru. Principal Secretary Home

.....Opposite
Party(s)

Counsel for Applicant(s) : Awadhesh Kumar Chaudhari, Rajendra
Kumar Ratnakar

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

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard Sri Nanhe Lal Tripathi, learned counsel for the applicants, Sri Bhavya Sahai, learned counsel for the first informant, learned AGA for the State-respondent and perused the record of the case.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 189 of 2026, under Sections 115(2), 333, 352, 351(2), 109(1) BNS, Police Station- Barsana, District- Mathura, during pendency of the trial in the court below.

3. Learned counsel for the applicants submitted that the applicants are absolutely innocent and have been falsely implicated in the present case due to some ulterior motive. It is next submitted that applicants are having no concern with the allegations levelled against them and they have not committed any offence as alleged by prosecution. It is next submitted that there was a dispute between family of applicant and first informant with regard to drain water. The specific role has been assigned to co-accused Kumar. It is further submitted the the injured Ram Ratan has sustained four injury, in which injury no. 1 advised for X-ray and after examination of injury no. 1, the frontal bone has been found fractured. He next submitted that the applicants are languishing in jail since 01.06.2026. It is also submitted that the applicants undertake that they will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

4. The prayer for bail has been vehemently opposed by learned A.G.A. as well as learned counsel for informant. In support of his contention learned counsel for the first informant has placed reliance a judgment of Hon'ble Apex Court in case of **Criminal Appeal No. 571 of 2021 LL 2021 SC 332**.

5. Keeping in view the nature of the offence, evidence, complicity of the accused, severity of the punishment, and submissions of learned counsel for the parties, this Court is of the view that the applicant is entitled to be enlarged on bail during the pendency of the trial.

6. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

7. Let applicants, **Rajendra** and **Govind** be released on bail in the aforesaid case on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

(i). The applicant will not tamper with the evidence during the trial.

(ii). The applicant will not pressurize/ intimidate the prosecution witness.

(iii). The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv). The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. It is further directed that the identity, status and residence proof of the sureties be verified by the authorities concerned before they are accepted.

9. In case of breach of any of the above conditions, the trial court will be

at liberty to cancel the bail.

10. 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.

(Jai Prakash Tiwari,J.)

August 7, 2026

v.k. updh.