



2026:AHC:160839

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26754 of 2026

Sintu @ Nitin

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Devendra Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Devendra Kumar Mishra, learned counsel for the applicant and Sri Shatruhan Yadav, learned AGA for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 769 of 2018, under Sections 302, 394 IPC, Police Station Phase-3, District Gautam Budh Nagar during pendency of the trial.
3. Learned counsel for the applicant submits, FIR of the present case was lodged against three unknown persons but during investigation co-accused Arjun was made accused and when his statement was recorded by the Investigating Officer then he disclosed the name of applicant and except statement of co-accused and confessional statement of applicant before police there is no cogent evidence against the applicant on record.
4. He further submits, applicant was not having previous criminal history and he due to poverty earlier could not even move his bail application and in the present matter he is in jail since June, 2018 i.e. for last more than eight years.
5. He further submits, therefore, considering the facts of the case, applicant may be released on bail.
6. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.
7. I have heard learned counsel for the parties and perused the record of the case.

8. However, as per allegation, applicant and others committed the loot and during incident they also committed the murder of the deceased by inflicting knife injuries but nobody was named in the FIR.

9. Further, it reflects, during investigation one Arjun was made accused and when his statement was recorded by the Investigating Officer then he disclosed the name of applicant. It further reflects, except the statement of co-accused and confessional statement of applicant before police, there is no cogent evidence against the applicant on record.

10. Further, most surprising and painful facts of the case is that however applicant was not having any previous criminal history but in spite that he is in jail since 14.06.2018 i.e. for last more than eight years and till date trial of the case could not be concluded. Prima facie it appears, fundamental right of speedy trial of the applicant has been infringed.

11. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

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

13. Let the applicant - Sintu @ Nitin be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

14. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

15. 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.

August 3, 2026
AK Pandey

(Sameer Jain,J.)