



2026:AHC:165487

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26946 of
2026

Satyavrat Prajapati @ Bheem Prajapati

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Akhil Ranjan
Counsel for Opposite Party(s)	:	G.A., Subhash Chandra

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri Anupam Anand, learned Brief Holder for the State and Sri Raj Kumar Gupta, Advocate holding brief of Sri Subhash Chandra, counsel for the informant. Perused the record.
2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 76 of 2026, under Sections 191(2), 351(3), 115(2), 352, 105 B.N.S., Police Station- Chaura Khas, District- Kushinagar during pendency of the trial.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. As per the allegations in the first information report, the applicant along with six accused assaulted the son of informant. The son of the informant died on 27.4.2026. As per the postmortem report, the deceased sustained seven injuries. In the opinion of the doctor, cause of death could not be ascertained. Viscera was preserved and sent for forensic examination. Placing reliance upon the statements of the independent witnesses namely Arjun Kumar Gaud and Bullet Gaud, it is contended that the deceased Subodh was heavily intoxicated with alcohol. Reliance has also been placed on the statement of Tinku Gupta (brother of the deceased) to contend

that as per the CCTV footage, the deceased was under the influence of liquor at the time of alleged incident. In such circumstances, it is contended that the death of the deceased cannot be attributed to assault by the applicant and others. The death was caused due to excessive intake of liquor. The medical evidence does not support the prosecution case. Identically placed co-accused Devvrat Prajapati has been granted bail by this court vide order dated 21.7.2026 passed in Criminal Misc. Bail Application No.22752 of 2026. The applicant claims parity. The applicant is in jail since 29.4.2026 having no criminal history. In case he is enlarged on bail, he will not misuse the said liberty.

4. Learned Brief Holder for the State and counsel for the informant have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that as per the allegations in the first information report, the applicant along with six accused assaulted the son of informant. In the opinion of the doctor, cause of death could not be ascertained. Viscera was preserved and sent for forensic examination. The independent witnesses namely Arjun Kumar Gaud, Bullet Gaud and the brother of the deceased had stated that the deceased was under the influence of liquor at the time of incident. The medical evidence does not support the prosecution case. Identically placed co-accused Devvrat Prajapati has been granted bail by this court. The applicant has no criminal antecedents. Further the applicant has presently remained confined for more than three months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant, Satyavrat Prajapati @ Bheem Prajapati involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like

amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

August 7, 2026

S.S.

(Vivek Varma,J.)