



2026:AHC:162393

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27044 of 2026

Ambikha Harijan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhinav Singh, Ajeet Dixit
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. However alongwith the instant bail application free true copy of the bail rejection order passed by the court concerned has not been annexed but as per the applicant the bail rejection order has been misplaced somewhere. Considering the fact that the bail rejection order is of the year 2024, reason disclosed by the applicant cannot be brushed aside, therefore the instant bail application is being heard on merit.
2. Heard Sri Ajeet Dixit, learned counsel for the applicant and Sri Manoj Kumar Singh, learned brief holder for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.470 of 2022, under Sections 147, 148, 149, 302, 307, 34 IPC, Police Station Robertsganj, District Sonbhadra, during pendency of the trial.
4. Learned counsel for the applicant submits, FIR of the present case was lodged against applicant and five others on 02.07.2022 and it reflects, on the basis of general allegation applicant has been made accused in the present matter.
5. He next submits, all the co-accused who were named in the FIR alongwith the applicant have already been released on bail by co-ordinate Bench of this court and their bail orders have been annexed alongwith the instant bail application and case of applicant is at par with them.

6. He further argued, applicant is not having any criminal history and in the present matter he is in jail since 02.07.2022 i.e. for last more than four years.

7. Per contra, learned AGA however opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

8. I have heard both the parties and perused the record of the case.

9. However, as per allegation applicant alongwith others made assault due to which deceased died but only general role has been assigned to all the accused including applicant and all the other co-accused have been released on bail by co-ordinate Bench of this Court and case of applicant is at par with them.

10. Further, even applicant is not having any criminal history and in present matter he is in jail since 02.07.2022 i.e. for last more than four years.

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 - **Ambikha Harijan** 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.

(Sameer Jain,J.)

August 4, 2026
Shahroz