



2026:AHC:163183

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27230 of 2026

Neeraj Jha

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Sachin Kumar, Sr. Advocate, Umesh Chandra Shukla
Counsel for Opposite Party(s)	: G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard Sri Amit Daga, Senior Advocate assisted by Sri Sachin Kumar, learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and perused the record.
2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.120 of 2026, under Section 105 B.N.S., Police Station- Kotwali, District- Jhansi during pendency of the trial.
3. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case. The incident is alleged to have occurred on 10.04.2026 at 21:00 hours, whereas the first information report was lodged on 19.04.2026 at 16:13 hours. The inordinate delay in lodging the first information report is fatal to the prosecution case. Placing reliance upon the admission ticket of the District Male Hospital, Jhansi, it is submitted that the son of the informant (since deceased) was admitted to the hospital for the first time on 13.04.2026 at 12:32 p.m. The attending doctor recorded the patient's complaint as "Pain in abdomen with a history of fall on ground." The informant's son succumbed to his injuries on 14.04.2026 at 9:50 a.m. It is further stated that on the same day, the police authorities were informed regarding the death of the informant's son. In support thereof reliance has been placed upon the G.D. entry dated 14.04.2026 at 12:07 hours which specifically records that the co-accused Bhagwat Prasad and the informant had admitted the deceased to the hospital. It is next contended that as per the postmortem report multiple contusion over both side of chest area 21 cm x 10 cm was found. The report further records injuries to the chest

wall, ribs, sternum, and cartilage, including fractures of ribs Nos. 3 to 7 on the right side and ribs Nos. 3 to 6 on the left side. It is also contended that no medical examination report prior to 13.04.2026 forms part of the case diary. Consequently, it is not clear as to whether the deceased sustained the aforesaid injuries in the alleged incident. As per the postmortem report, the cause of death is shock due to ante-mortem injuries. Identically placed co-accused Bhagwat Prasad has been granted bail by this Court vide order dated 30.7.2026 passed in Criminal Misc. Bail Application No. 26447 of 2026 (Bhagwat Prasad vs. State of U.P.). The applicant claims parity. At this stage, there is no corroborative evidence to link the applicant with the offence. The applicant is in jail since 30.04.2026 having no criminal history and in case, he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has 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 the first information report has been lodged belatedly. The son of the informant (since deceased) was admitted to the hospital for the first time on 13.04.2026 at 12:32 p.m. No medical examination report prior to 13.04.2026 forms part of the case diary. Consequently, it is not clear as to whether the deceased sustained the aforesaid injuries in the alleged incident. Identically placed co-accused Bhagwat Prasad has been granted bail by this Court. There is no corroborative evidence to link the applicant with the offence. Further the applicant has presently remained confined for almost 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, Neeraj Jha 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 5, 2026

S.S.

(Vivek Varma,J.)