



2026:AHC:166360

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27251 of 2026

Satyendra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Rajnish Kumar Pandey, Santosh Kumar
Pandey, Sarvesh Kumar Mishra
Counsel for Opposite Party(s) : G.A., Prem Chandra

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.
2. Heard Sri Santosh Kumar Pandey, learned counsel for the applicant and Sri Vijay Bahadur Maurya, learned AGA for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.193 of 2026, under Section 191(2), 191(3), 190, 103(1), 109(1) of BNS, Police Station Bhamora, District Bareilly, during pendency of the trial.
4. Learned counsel for the applicant submits, however applicant is named in the FIR alongwith six others and as per allegation applicant alongwith other accused also made assault upon the deceased but specific role of causing firearm injury to the deceased has been assigned to co-accused Phool Singh and Jeeraj.
5. He next submits, even postmortem report suggests, deceased sustained one firearm entry wound and one firearm exit wound and therefore implication of applicant prima facie appears to be false.
6. He next submits, during investigation when the statements of witnesses were recorded then they also reiterated the version of the FIR and role of causing firearm injury to the deceased was assigned by them to co-accused Phool Singha and Jeeraj.

7. He further submits, however applicant is having criminal history of four other cases but his criminal history has been explained and except one case under Section 307 IPC remaining cases related to minor offences and even in the offence under Section 307 IPC after investigation final report has been submitted.

8. He further argued, in the present matter applicant is in jail since 07.05.2026.

9. 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.

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

11. However, from the postmortem report it reflects, deceased died due to firearm injury but role of causing firearm injury to the deceased has not been attributed to the applicant and from the FIR and the statements of the witnesses it reflect, the same has been attributed to co-accused Phool Singh and Jeeraj.

12. Further, however from the FIR it reflects, applicant and co-accused Deepak and Sunil also made assault upon the deceased through butt of their firearm weapons but from the postmortem report it reflects, except firearm injury deceased did not sustain any other injury therefore prima facie even the allegation levelled against the applicant appears to be false.

13. Further, however apart from the present case applicant is having criminal history of four other cases but his criminal history has been explained and except one case under Section 307 IPC remaining cases related to minor offences and even in the case relating to offence under Section 307 IPC after investigation final report has been submitted.

14. Further, in the present matter applicant is in jail since 07.05.2026.

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

16. Accordingly, without expressing any opinion on the merits of the

case, the instant bail application is allowed.

17. Let the applicant - **Satyendra** 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.

18. 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.

19. 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 5, 2026

Shahroz