



2026:AHC:167424

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27685 of 2026

Vishal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: S.M.Faraz I. Kazmi
Counsel for Opposite Party(s)	: G.A., Kulveer Singh, Sunil Nagar

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri S.M.Faraz I.Kazmi, learned counsel for the applicant, Sri Kulveer Singh, learned counsel for the informant and Sri Imran Khan, learned AGA, for the State.
2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.423 of 2026, under Sections 191(2), 191(3), 115(2), 352, 351(3), 109(1), 103(1) and 3(5) BNS, Police Station Deoband, District Saharanpur during pendency of the trial.
3. Learned counsel for the applicant submits that applicant is, however, named in the FIR along with four others and as per allegation due to assault made by them the father of the informant died and even informant also sustained injuries but during investigation when statement of the informant was recorded then he categorically stated that co-accused Pratap @ Pappu by causing fire arm injury committed the murder of the deceased.
4. He further argued that however in the present matter informant also sustained injuries but from his injury report it reflects that his injuries were simple in nature except injury no.1 and this injury was also not dangerous to life.
5. He further submits that co-accused Vinod has been released on bail by this Court on 7.8.2026 passed in Criminal Misc.Bail Application No. 27586 of 2026 and case of applicant is exactly at par with him.

6. He further submits that applicant is not having any previous criminal history and in the present matter he is in jail since 14.6.2026.

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

8. I have heard learned counsel for the parties and perused the record of the case.

9. Considering the argument advanced by the learned counsel for the parties and the fact that similarly placed co-accused Vinod has been released on bail by this Court and co-accused Pratap @ Pappu appears to be principal accused and applicant is not having any other criminal history and he is in jail since 14.6.2026, in my view, applicant is entitled to be released on bail.

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

11. Let the applicant-**Vishal** 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.

12. 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.

13. 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 10, 2026
SKM

(Sameer Jain,J.)