



2026:AHC:167423

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27698 of 2026

Haji Pappu @ Afak

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Asif Ahmed, Awaish Khan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Today, Sri S.K.Dubey, learned Advocate, filed his power on behalf of the informant, which is taken on record.
2. Heard Sri Awaish Khan, learned counsel for the applicant, Sri Prince Kumar Tiwari, learned Advocate, holding brief of Sri S.K.Dubey, learned counsel for the informant and Sri Vijay Kumar, learned AGA-I, for the State.
3. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Sessions Trial No.935 of 2023 (Sessions Case No.1584 of 2023) Case Crime No.234 of 2023, under Sections 302 and 34 IPC, Police Station Brahampuri, District Meerut during pendency of the trial.
4. Learned counsel for the applicant submits that however, applicant is named in the FIR along with six others but only general role has been assigned to all the accused.
5. He further submits that even during investigation involvement of the applicant was found false and charge sheet was not filed against him.
6. He further submits that during trial applicant has been summoned under Section 319 Cr.P.C.
7. He further submits that however, applicant challenged the summoning order passed under Section 319 Cr.P.C. before this Court in criminal revision but when his revision was dismissed by this Court then he

surrendered before the court concerned on 15.7.2026 and since then he is in jail.

8. He further submits that all the other named accused has been released on bail by this Court and their bail orders have been annexed along with the instant bail application. He next submits that as far as allegations are concerned, the case of applicant is at par with them.

9. He further submits that applicant is, however, having criminal history of three other cases but his criminal history has been explained in the instant bail application.

10. He further submits that therefore, considering the above facts, the applicant may be enlarged on bail.

11. 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.

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

13. However, applicant was named in the FIR along with six others and as per allegation, all the accused persons opened fire due to which one person died but it reflects that only general role has been assigned to all the accused.

14. Further, even it reflects that during investigation involvement of the applicant was found false and charge sheet was not filed against him.

15. Record further suggests that during trial applicant has been summoned under Section 319 Cr.P.C.

16. It further reflects that however applicant challenged the summoning order passed under Section 319 Cr.P.C. before this Court in criminal revision but when his criminal revision was dismissed then he surrendered before the court concerned on 15.7.2026 and since then he is in jail.

17. Record further suggests that all the co-accused persons, who were also named accused have already been released on bail by this Court and as far as allegations are concerned, the case of applicant is at par with them.

18. Further, however, apart from the present case, applicant is having criminal history of three other cases but his criminal history has been explained in the instant bail application.

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

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

21. Let the applicant-**Haji Pappu @ Afak** 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.

22. 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.

23. 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 10, 2026
SKM