



2026:AHC-LKO:39989

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 3918 of 2026

Hosila Prasad And Another

.....Applicant(s)

Versus

State Of U.P. Addl. Chief Secy. /Prin. Secy. Home
Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohd.Altaf Mansoor, Aditya Vikram
Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 12

HON'BLE ZAFEER AHMAD, J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State as well as perused the record.

2. The accused-applicants **Hosila Prasad** and **Akhilesh @ Akhilesh Kumar** seek bail in Case Crime No. 34 of 2025 under Sections 191(2), 191(3), 190, 109, 103(1), 351(3), 61(2) BNS, Police Station Chandapur, District Raebareli.

3. Learned counsel for the applicants submits that the applicant have no previous criminal history. It is further submitted the applicants are innocent and have not committed any offence as alleged in the impugned FIR. The extra judicial confession made by the applicants was under duress and undue pressure made by the police. Even otherwise, it is clear from their statements that they had no intention or premeditation to commit murder of the deceased and that the incident occurred in a spur of moment out of the sudden altercation. There is no independent witness of the alleged recovery.

4. It is further submitted that from the statements of the co-accused also it is apparent that none of the accused persons had any intention to commit any offence. The injured persons also stated in their statements in unambiguous terms that the the incident was an outcome of a land dispute.

5. It is strenuously argued that the co-accused persons, Sanjeev Kumar Singh @ Rahul Bahubnali, Deepak Singh, Ranvijay Singh, Abhishek Singh, Suhel, Vikash Pal and Devashish Singh Chauhan have already been granted bail by this Court and the bail orders have been filed alongwith the bail application except that of Vikash Pal which has been produced before the Court today. The applicants are in judicial custody since 7.7.2025. It is further submitted that there is no possibility of the applicants fleeing away after being released on bail or tampering with the witnesses. The applicants claim parity with the co accused. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

6. Learned A.G.A. has opposed the bail prayer of the applicant but could not deny the ground of parity being available to the applicants.

7. I have considered the arguments advanced by learned counsel for the parties as well as perused the record.

8. On due consideration of the facts that the applicant is in judicial custody since 7.7.2025; he has no previous criminal history; co accused persons have already been granted bail by this Court; there is no independent witness to the alleged recovery; and without expressing any opinion on the merits of the case, I find it to be a fit case for enlarging the applicants on bail on the ground of parity.

9. Accordingly, the bail application is allowed on the ground of parity.

10. Let the applicants - **Hosila Prasad and Akhilesh @ Akhilesh Kumar** involved in the aforesaid FIR/Case crime number, be released on bail in the aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to following conditions:-

(i) the applicants shall not tamper with the prosecution evidence;

(ii) the applicants shall not pressurize the prosecution witnesses;

(iii) the applicants shall appear on each and every date fixed by the trial Court.

11. Any other condition(s) which the trial court/concerned court may deem fit and proper, in the circumstances of the case, may also be

imposed.

12. It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

(Zafeer Ahmad,J.)

June 2, 2026

Fahim/-