



2026:AHC:178904

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29800 of 2026

Jyoti Chauhan @ Ajeet

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Samir Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Surendra Mohan Mishra, learned Advocate holding brief of Sri Samir Tiwari, learned counsel for the applicant and Sri Rajeev Dhar Dwivedi, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 148 of 2026, under Sections 191(2), 191(3), 103(1), 3(5) BNS, Police Station Sevrachi, District Kushinagar during pendency of the trial.

3. Learned counsel for the applicant submits, however, applicant is named in the FIR along with four others but role of causing injury has not been assigned to him by the informant either in the FIR or in his statement and according to him co-accused Rahul Gaur was the principal accused who by causing knife injuries committed the murder of the deceased.

4. He further submits, according to the informant applicant and three others caught hold the deceased and thereafter co-accused Rahul Gaur inflicted knife injuries to the deceased.

5. He next submits, apart from the informant there are several other eye witnesses but from their statements it reflect, they assigned only general role to all the accused including co-accused Rahul Gaur and they did not state that applicant caught hold the deceased and these facts clearly suggests that actually nobody could see the real incident and applicant is innocent.

6. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 24.06.2026.

7. Per contra, learned AGA opposed the prayer for bail and submits, applicant is named in the FIR along with others and from the statement of informant and FIR it reflects, role of catching hold has been assigned to the applicant and three others and according to the informant applicant and three others caught hold the deceased and thereafter co-accused Rahul Gaur inflicted knife injuries and therefore, from the statement of informant and FIR prima facie it cannot be said that applicant is innocent.

8. He further submits, however, alleged eye witnesses assigned general role to all the accused but they also disclosed the name of applicant. He next submits, even in the present matter applicant is in jail only since 24.06.2026 i.e. for last two months.

9. Learned AGA further submits, therefore, considering the facts of the case instant bail application may be dismissed.

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

11. Applicant is named in the FIR. However from the FIR and statement of informant it reflects, role of causing knife injuries to the deceased has been assigned to co-accused Rahul Gaur but from both the documents it reflect, applicant and three others caught hold the deceased and thereafter co-accused Rahul Gaur caused knife injuries to the deceased and therefore neither from the FIR nor from the statement of informant recorded during investigation prima facie it reflects, applicant is innocent.

12. Further, apart from the informant there are several other eye witnesses and however they in their statements assigned only general role to all the accused but they also categorically disclosed the name of applicant and therefore even from the statements of eye witnesses it cannot be said that applicant is innocent.

13. Further, even applicant is in jail only since 24.06.2026 i.e. for last two months.

14. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is not entitled to be released on bail.

15. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **rejected** at this stage.

16. 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 24, 2026
AK Pandey

(Sameer Jain,J.)