



2026:AHC:179697

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 30081 of 2026

Somu Khan Alias Ausaf

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anurag Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 78

HON'BLE SUBHASH CHANDRA SHARMA, J.

1. Heard learned counsel for the applicant as well as learned Additional Government for the State and perused the material on record.

2. The present bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime No.1146 of 2025, under Sections 191(2), 191(3), 190, 124(2), 121, 125, 352, 351(3), 109, 299, 223, 61(2) B.N.S. and Section 7 Criminal Law Amendment Act, Police Station Baradari, District Bareilly, during the pendency of trial.

3. It is argued by learned counsel for the applicant that in this case, the first information report was lodged by the police inspector, namely, Dhanjay Pandey against 28 named and 250 unknown persons with the allegation that all the accused persons pelted stone and bottle of glass filled with acid and also some of them opened fire at the police party. Further submitted that the present applicant was not named in the F.I.R. but his name was brought into light on the basis of confessional statement of co-accused Anis Saqlaini. It is further submitted that co-accused, namely, **Mobin, Iqbal and Idreesh, Nadeem, Moin Siddiqui, Faijal Navi @ Faizul Navi, Farhan Raza Khan, Mohd. Azam, Kaleem Khan, Anis Saqlaini** have already been granted bail vide orders dated 10.04.2026, 28.04.2026, 07.07.2026, 19.03.2026, 19.03.2026, 23.03.2026, 28.03.2026, 29.05.2026 passed by co-ordinate Benches of this Court in **Criminal Misc. Bail Application Nos.43266 of 2025, 6498 of 2026, 44455 of 2025, 480 of 2026, 43299 of 2025, 42747 of 2025, 42738 of 2025 and 17565 of 2026** copies of bail orders are on record

and criminal history of the present applicant has been explained. He also submitted that case of applicant is on similar footing with that of aforesaid co-accused persons. The applicant is languishing in jail since 21.04.2026. It is also submitted that, in the event of his being enlarged on bail during pendency of trial, he will not misuse the liberty of bail and will cooperate with the trial proceedings.

4. Learned Additional Government Advocate has opposed the bail prayer.

5. Having considered the submissions of the parties, without expressing any opinion on the merits, the bail application is **allowed**.

6. Let the applicant- **Somu Khan alias Ausaf**, who is involved in the aforesaid case be released on bail during the pendency of trial on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that :-

(i) The applicant shall not tamper with the prosecution evidence by intimidating/pressurizing the witnesses, during the investigation or trial.

(ii) The applicant shall cooperate in the trial sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

7. 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.

8. 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 25, 2026/T.S.

(Subhash Chandra Sharma,J.)

