



2026:AHC:179420

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 30088 of 2026

Sonu Maurya

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pragya Singh, Rajan Srivastava
Counsel for Opposite Party(s)	:	G.A., Vivek Kumar Yadav

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Vivek Kumar Yadav, Advocate submitted that yesterday he has filed his power on behalf of the informant in the office of this Court but his name could not be shown in the cause list.
2. Heard Sri Rajan Srivastava, learned counsel for the applicant; Sri Vivek Kumar Yadav, learned counsel for the informant and Sri Ajay Singh, learned AGA for the State-respondent.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 225 of 2025, under Sections 103(1), 238 BNS, Police Station Line Bazar, District Jaunpur, during pendency of the trial in the court below.
4. Learned counsel for the applicant submitted that FIR of the present case was lodged on 2.6.2025 against the applicant, his brother and mother and according to the FIR applicant alongwith co-accused committed the murder of the father of the informant but admittedly informant of the case was not the eye witness.
5. He further submitted that it is a case of circumstantial evidence and dead body of the deceased was found on 1.6.2025 and after recovery of the dead body informant himself gave information to the police at 19:30 hours and on his information inquest was conducted on 1.6.2025 and in the inquest informant himself was one of the inquest witness but thereafter next day he lodged FIR of the present case and this fact clearly suggests that story narrated by the informant in the FIR is false and baseless.

6. He further submitted that even from the post mortem report it reflects, deceased sustained only one contusion on his head and he died due to hematoma and therefore even prima facie it does not appear to be a case of murder.

7. He further submitted that during investigation Investigating Officer collected the CCTV footages and from perusal of the same it reflects, applicant was sitting alongwith his mother and in the mid of them one another person was sitting and after sometime he returned through two wheeler alongwith her mother without third person but during investigation Investigating Officer could not collect any evidence that the person who was sitting between applicant and her mother was the deceased.

8. He further submitted that there is absolutely no cogent evidence which can connect the applicant with the instant crime.

9. He further submitted that applicant is having no criminal history and he is in jail in the present matter since 3.6.2025 i.e. for last more than a year.

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

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

12. However, applicant is named in the FIR alongwith his brother and mother but admittedly informant of the case was not the eye witness. Record further suggests that there is no eye witness account and it is a case of circumstantial evidence.

13. Considering the inquest report which has been annexed at page 31 of the paper book the prosecution story narrated in the FIR prima facie appears to be doubtful.

14. Further, however during investigation Investigating Officer collected two CCTV footages and from its perusal it reflect, in one CCTV footage on two wheeler a person was sitting between applicant and his mother and from the another CCTV footage it reflects however, on the two wheeler applicant was alongwith his mother but third person was not alongwith them but from the entire material available on record, it could be reflected that the third person

who was sitting between applicant and his mother on the two wheeler was the deceased. It reflects, Investigating Officer could not collect any evidence in this regard.

15. Further, even from the post mortem it reflects, deceased sustained only single contusion on his head and he died due to hematoma. Considering this fact, even the argument advanced by learned counsel for the applicant that prima facie present case does not appear to be a case of murder cannot be completely ruled out, at this stage.

16. Further, applicant is having no previous criminal history and he is in jail in the present matter for last more than a year.

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

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

19. Let the applicant-**Sonu Maurya**, 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.

20. 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.

21. 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

Ankita

(Sameer Jain,J.)