



2026:AHC:179506

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 30162 of 2026

Somprakash Saini

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pawan Giri, Shamsher Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Rajendra Kumar Yadav, advocate filed his power on behalf of the informant which is taken on record.
2. Heard Sri Shamsher Singh, learned counsel for the applicant, Sri Rajendra Kumar Yadav, learned counsel for the informant and Sri Rajiv Dhar Dwivedi, learned AGA for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.0462 of 2026, under Sections 103(1), 191(2), 191(3), 190, 109(1) BNS, Police Station Majhola, District Moradabad, during pendency of the trial.
4. Learned counsel for the applicant submits, however applicant is named in the FIR alongwith several others including co-accused Manoj Sharma and as per allegation applicant and other accused made assault upon the informant and his father due to which both sustained injuries and subsequently father of the informant died but entire allegations levelled against the applicant are totally false.
5. He next submits, with a very detailed and reasoned order dated 17.08.2026 passed in Criminal Misc. Bail Application No.28707 of 2025 co-accused Manoj Kumar Sharma has been enlarged on bail by this Court and case of applicant is at par with him.
6. He further argued, however apart from the present case applicant is having criminal history of one another case but his criminal history has been explained and that case relates to minor offence.

7. He next submits, in the present matter applicant is in jail since 18.05.2026.

8. Per contra, learned AGA as well as learned counsel for informant however opposed the prayer for bail but could not dispute the fact that co-accused Manoj Kumar Sharma has been released on bail and case of applicant is at par with him.

9. I have heard both the parties and perused the record of the case.

10. However, applicant is in jail only since 18.05.2026 but it reflects, with a very detailed and reasoned order co-accused Manoj Kumar Sharma has been released on bail by this Court and case of applicant is at par with him. There is no reason for this Court to take contrary view in the instant bail application.

11. Further, however apart from the present case applicant is having criminal history of one another case but that case relates to minor offence.

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

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

14. Let the applicant - **Somprakash Saini** 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.

15. 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.

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.

(Sameer Jain,J.)

August 25, 2026
Shahroz