



2026:AHC:180442

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 30237 of 2026

Mohan Yadav @ Rishab Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Deepesh Kumar, Ravi Pandey, Suraj Pandey
Counsel for Opposite Party(s)	: G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.
2. Heard Sri Ravi Pandey, learned counsel for the applicant and Sri Vijay Kumar, learned AGA-I for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 229 of 2026, under Sections 191(2), 191(3), 331(8), 103(1)/3(5) BNS, Police Station Harduaganj, District Aligarh during pendency of the trial.
4. Learned counsel for the applicant submits, applicant was not named in the FIR but during investigation when the statement of named co-accused Yogendra Yadav was recorded then he disclosed the name of applicant.
5. He further submits, after the statement of above co-accused Yogendra Yadav Investigating Officer also procured a CCTV footage and according to it, applicant on the date of incident was going on a two wheeler along with two others and along with his two wheeler, co-accused Yogendra Yadav was also going on another two wheeler and except above evidence there is no cogent evidence against applicant. He further submits, merely on the basis of above evidence prima facie it cannot be said that applicant participated in the alleged crime.
6. He further submits, apart from the present case applicant is having criminal history of three other cases including two cases of N.D.P.S. Act but his criminal history has been explained in the bail application and in both the

cases of N.D.P.S. Act applicant is on bail.

7. He further submits, local police is highly inimical with the applicant and earlier also police implicated him in cases of N.D.P.S. Act and this time also during investigation police implicated him in the case of murder. He further submits, in the present matter applicant is in jail since 10.07.2026.

8. Per contra, learned AGA opposed the prayer for bail and submits, in the present applicant is in jail only since 10.07.2026 but could not dispute the fact that after investigation charge-sheet has been filed. Learned AGA also could not dispute the other argument on facts advanced by learned counsel for applicant.

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

10. However, in the present matter applicant is in jail only since 10.07.2026 but it reflects, after investigation Investigating Officer has submitted charge-sheet. Further, as far as merit of the case is concerned, applicant was not named in the FIR and during investigation he has been made accused through the statement of co-accused Yogendra Yadav, who was named in the FIR.

11. Further, apart from the statement of co-accused and confessional statement of applicant before police there is CCTV footage and from the CCTV footage it reflects, on the date of incident applicant was going along with two others on two wheeler and along with his two wheeler there was another two wheeler on which named co-accused Yogendra Yadav was sitting along with two others.

12. It reflects, apart from the above evidences there is no other evidence on record. Considering the evidence available on record against the applicant, the argument advanced by learned counsel for applicant that merely on the basis of above evidence prima facie it cannot be said that applicant involved in the present crime cannot be ruled out.

13. Further, applicant is however having criminal history of three other cases including two cases of N.D.P.S. Act but his criminal history has been explained in the bail application and in both the cases of N.D.P.S. Act applicant is on bail.

14. Considering the previous criminal history of applicant and the fact that in the present case during investigation applicant has been made accused, the argument advanced by learned counsel for applicant with regard to his false implication cannot be completely brushed aside at this stage.

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

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

17. Let the applicant - **Mohan Yadav @ Rishab Yadav** 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.

18. 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.

19. 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 31, 2026
AK Pandey

(Sameer Jain,J.)