



2026:AHC:178476

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 29915 of 2026

Sajan Manjhi Alias Sajjan Manjhi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Shalini Kushwaha, Virendra Kumar
Maurya

Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Virendra Kumar Maurya, learned counsel for the applicant and Sri Shatruhan Yadav, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.02 of 2026, under Sections 103, 238 BNS, Police Station Sector-126, District Gautam Budh Nagar, during pendency of the trial.

3. Learned counsel for the applicant submits, however applicant is named in the FIR but it is the case of circumstantial evidence and except suspicion and recovery of dead body of the deceased on the pointing out of applicant and co-accused Ram Vachan there is no other evidence against the applicant on record.

4. He next submits, from the recovery memo it reflects, recovery of dead body of the deceased was made from a drain and therefore merely on the basis of such recovery prima facie it cannot be said that applicant committed murder of the deceased considering the fact that the alleged place from where the recovery was made was accessible to all.

5. He further submits, as per prosecution deceased developed illicit relationship with the wife and daughter of co-accused Ram Vachan and applicant is his relative and therefore he alongwith co-accused Ram Vachan committed his murder but applicant is also close relative of the deceased and therefore there was no occasion for him to participate in the

murder of the deceased. He next submits, even motive to commit the crime was against co-accused Ram Vachan.

6. He further argued, applicant is not having any criminal history and in the present matter he is in jail since 03.01.2026 i.e. for last almost eight months.

7. Per contra, learned AGA however opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

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

9. However, applicant is named in the FIR but it is a case of circumstantial evidence and as per FIR, deceased developed relationship with the wife and daughter of co-accused Ram Vachan and therefore he alongwith applicant committed his murder but it reflects, except doubt and confessional statement of applicant and the fact that on the pointing out of applicant and co-accused Ram Vachan, dead body of the deceased was recovered there is no other evidence against applicant on record. Further, however the evidence of the recovery of the dead body of the deceased on the pointing out of applicant and co-accused at first instance appears to be clinching but from the recovery memo it reflects, the recovery was made from a drain which was accessible to all.

10. Further, even in view of this Court, merely on the basis of alleged recovery in absence of any other corroborative evidence prima facie it cannot be said that applicant committed murder of the deceased alongwith co-accused Ram Vachan.

11. Further, even motive to commit the crime was against co-accused Ram Vachan and applicant is close relative of co-accused Ram Vachan as well as of the deceased.

12. Further, applicant is not having any criminal history and in the present matter he is in jail since 03.01.2026 i.e. for last almost eight months.

13. Therefore, considering the facts and circumstances of the case

discussed above, in my view, applicant is entitled to be released on bail.

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

15. Let the applicant - **Sajan Manjhi Alias Sajjan Manjhi** 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.

16. 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.

17. 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 24, 2026

Shahroz