



2026:AHC:175549

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 4503 of 2026

Arpit Verma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ravikant Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard Mr. Sharique Ahmed, Advocate, assisted by Mr. Ravikant Shukla, learned counsel for the applicant, and Mr. Neeraj Kumar Sharma, learned A.G.A. for the State-opposite party.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 278 of 2025, under Section 105 B.N.S., Police Station Kotwali, District Kanpur Nagar during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant was not named in the first information report and has been falsely implicated in the present case. The incident is alleged to have occurred on 24.11.2025. Placing reliance upon the information memo sent by the Hallett Hospital to the concerned police station, it is contended that at the time of alleged incident the brother of the informant was heavily drunk. The first information report was lodged on 01.12.2025. The delay in lodging the first information report is fatal to the prosecution case. No medical papers prior to 26.01.2025 form part of the case diary. The applicant was identified on the basis of a CCTV footage collected by the Investigating Officer. As per the CCTV footage, one person was seen pulling the leg of the person seated in the driver's seat of the bus, causing him to fall onto the ground. Thereafter another person wearing yellow garment was seen, jumping down from the window adjacent to the driver's seat, lifted the bus driver, who was already lying on the road, with both hands and dragged him towards the roadside, where he throws him in front of a shop. It is contended that the person pulling the leg of the

deceased and the other person dragging the driver on the ground have not been identified by the prosecution. No prior enmity existed between the parties. The incident had occurred at the spur of moment without any premeditation. The applicant neither had the requisite knowledge nor intention to commit the alleged offence. The applicant is a student of B.A. and his future would be jeopardized on account of the present false case. The applicant is in jail since 28.11.2025 having no criminal history and if he is released on bail, he will not misuse the said liberty.

4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that the applicant was not named in the first information report. The first information report has been lodged belatedly. No medical papers prior to 26.01.2025 form part of the case diary. As per the report of the Hallett Hospital, the deceased was heavily drunk at the time of the alleged incident. The person pulling the leg of the deceased and the other person, who was dragging him towards the roadside, have not been identified by the prosecution. At this stage there is no credible evidence to establish that the applicant had requisite knowledge or intention to commit the alleged offence. The applicant has no criminal antecedents. Moreover, the applicant has remained confined for more than eight months and after submission of the charge-sheet there is no hope of early conclusion of trial, and no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, therefore, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- Arpit Verma, involved in the aforesaid case, be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned subject to the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence; and,
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

August 19, 2026
SKT/-

(Vivek Varma,J.)