



2026:AHC:177809

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 7165 of 2026

Vijendra Singh @ Chhotey

.....Applicant(s)

Versus

State of U.P.

.....Opposite

Party(s)

Along with :

1. Criminal Misc. Bail Application No. 6702 of 2026:

Pushpendra Singh

Versus

State of U.P.

2. Criminal Misc. Bail Application No. 6759 of 2026:

Narendra Singh @ Karu

Versus

State of U.P.

Counsel for Applicant(s) : Abhishek Kumar, Gaurav Srivastav,
Rajesh Kumar Srivastava
Counsel for Opposite Party(s) : Arjun Singh Solanki, G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. As these bail applications are connected and arise from the same FIR therefore they are being heard and disposed of simultaneously by common order.

2. Rejoinder affidavits filed on behalf of the applicants are taken on record.

3. Heard Sri Gaurav Srivastav and Sri Rajesh Kumar Srivastava, learned counsel for the applicants, Sri Arjun Singh Solanki, learned counsel for the informant and Sri R.N. Srivastava, learned AGA for the State.

4. The instant bail applications have been filed seeking release of the applicants on bail in Case Crime No.348 of 2025, under Sections 191(2), 115(2), 352, 131, 103(1) BNS, Police Station Ganjdundwara, District

Kasganj, during pendency of the trial.

5. Learned counsel for the applicants submits, FIR of the present case was lodged against applicants and two others on 20.10.2025 under Sections 191(2), 115(2), 352, 131 BNS and according to the FIR on the festival of Deepavali applicants made assault upon the informant side.

6. He next submits, from the FIR dated 20.10.2025 it reflects, FIR of the present case was lodged with regard to minor offences for the injuries sustained by the informant and his family members and admittedly they sustained only simple injuries. He next submits, as per prosecution after the incident they went for their treatment and for lodging the FIR but in the meantime one Pawan who was in the house has been murdered. He further submits, with regard to the murder of the deceased Pawan no separate FIR was lodged and his murder case has been clubbed with the above incident relating to minor injuries allegedly sustained by informant side. He next submits, during investigation all the witnesses without any evidence started making allegation that applicants alongwith co-accused Shivam and Saurabh committed murder of Pawan.

7. He next submits, from the statements of the witnesses it is apparent that nobody could see the incident of murder of Pawan and there is no cogent evidence which can connect the applicants with the case of murder of the deceased Pawan.

8. He further submits, even if dispute of applicants arose with the informant side then also without any cogent evidence no presumption can be drawn that in the absence of informant and other witnesses they committed murder of the deceased Pawan who was alone at his house.

9. He further submits, applicants are not having any criminal history and in the present matter they are in jail since 11.11.2025 i.e. for last more than nine months.

10. Per contra, learned AGA as well as learned counsel for the informant however opposed the prayer for bail but could not dispute the fact that with regard to murder of the deceased Pawan there is no eye-witness account and all the alleged witnesses had also gone alongwith the

informant and other injured who sustained minor injuries due to the dispute arose between applicants and informant side. They also could not dispute the fact that applicants are not having any criminal history and they are in jail for last more than nine months.

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

12. FIR of the present case was lodged against applicants and two others with regard to minor injuries caused by them to the informant and two others but according to the prosecution when after the above incident informant and others including two injured were outside from their house as they had gone for their medical examination then in the meantime applicants alongwith two others committed murder of one Pawan who was alone in the house but it reflects, there is no eye-witness account with regard to murder of the deceased Pawan. It further reflects, the alleged witnesses had also gone alongwith the injured persons including informant. This Court finds merit in the argument advanced by learned counsel for the applicant that however earlier some minor dispute arose between informant and applicants side due to which from the informant side three persons sustained minor injuries but due to this reason no presumption can be drawn that applicants alongwith two others committed the murder of the deceased who was alone at home considering the fact that there is no eye-witness account for murder of the deceased Pawan.

13. Further, applicants are not having any criminal history and in the present matter they are in jail since 11.11.2025 i.e. for last more than nine months.

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

15. Accordingly, without expressing any opinion on the merits of the case, the both the instant bail applications are allowed.

16. Let the applicants - **Vijendra Singh @ Chhotey, Pushpendra Singh and Narendra Singh @ Karu** be released on bail in the aforesaid case on

furnishing personal bonds and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicants shall appear before the trial court on the dates fixed, unless their personal presence is exempted.

(ii) The applicants 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 applicants shall not indulge in any criminal and anti-social activity.

17. 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.

18. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail applications and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

August 21, 2026
Shahroz