



2026:AHC:176099

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 8456 of 2026

Nitish Kumar Singh @ Mohan Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Brijesh Kumar Mishra, Deena Nath
Counsel for Opposite Party(s)	: G.A., Ram Prakash Chauhan

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Deena Nath, learned counsel for the applicant, Sri Ram Prakash Chauhan, learned counsel for the informant 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.254 of 2025, under Sections 103(1), 309(6), 317(2) BNS and Section 3/25 Arms Act, Police Station Ubhaon, District Ballia, during pendency of the trial.

3. Learned counsel for the applicant submits, FIR of the present case was lodged against unknown person but during investigation co-accused Shivam Yadav was made accused and when his statement was recorded by the investigating officer then he disclosed the name of applicant and except statement of co-accused Shivam Yadav and confessional statement of applicant before the police there is no evidence against the applicant on record.

4. He next submits, even co-accused Shivam Yadav has been released on bail by this Court vide order dated 10.08.2026 passed in Criminal Misc. Bail Application No.8128 of 2026 and case of applicant is on better footing than him.

5. He next submits, however apart from the present case applicant is having criminal history of four other cases but out of four cases only two cases were previous and in two other cases applicant has been made

accused alongwith the present matter.

6. He next submits, even in the present matter applicant is in jail since 20.09.2025 i.e. for last 11 months.

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

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

9. It reflects, during investigation through the statement of co-accused Shivam Yadav applicant has been made accused and except statement of co-accused and confessional statement of applicant before the police there is no evidence against the applicant on record. Further, co-accused Shivam Yadav through whose statement applicant has been made accused has been released on bail by this Court and case of applicant is on better footing than him.

10. Further, however apart from the present case applicant is having criminal history of four other cases but out of four cases only two cases were previous one and in two other cases applicant has been made accused alongwith the present matter.

11. Further, even in the present matter applicant is in jail since 20.09.2025 i.e. for last 11 months.

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

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

13. Let the applicant - **Nitish Kumar Singh @ Mohan Singh** 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.

14. 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.

15. 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 19, 2026
Shahroz