



2026:AHC-LKO:40207

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 3910 of 2026

Vivek Kumar Singh

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Home Lko.
And

.....Opposite
Party(s)

Counsel for Applicant(s) : Atish Kumar Singh, Rahul Kumar Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 12

HON'BLE ZAFEER AHMAD, J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
2. This is first bail application filed on behalf of the applicant who is involved in Crime No. 482 of 2025, under Sections 80(2) and Section 85 of the B.N.S. and Section 3/4 of the D.P. Act, police station Paraspur, district Gonda.
3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present case and the allegations levelled against the applicant are false and frivolous. Learned counsel submits that the applicant is husband of the deceased and there is general allegation against all the accused persons including the applicant. He further submits that the charges have been framed and three prosecution witnesses including the complainant have been examined during trial but the said prosecution witnesses did not support the prosecution version.
4. Learned counsel for the applicant submits that the applicant is in jail since 9.1.2026 and he has no criminal history. Learned counsel also submits that in case the applicant is enlarged on bail, he shall not misuse the liberty of bail.
5. Learned A.G.A. has opposed the prayer for bail but could not dispute

the aforesaid facts as argued by learned counsel for the applicant.

6. Having considered the submissions of learned counsel for the parties, the fact that the charge-sheet was filed, three prosecution witnesses have been examined and they have not supported the prosecution version, the applicant is languishing in jail since 9.1.2026 and without expressing any opinion on the merits of the case, I find it to be a fit case for enlarging the applicant on bail.

7. Accordingly, the bail application is allowed.

8. Let the applicant Vivek Kumar Singh involved in Crime No. 482 of 2025, under Sections 80(2) and Section 85 of the B.N.S. and Section 3/4 of the D.P. Act, police station Paraspur, district Gonda be released on bail on his furnishing a personal bond and two sureties in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence during the trial.

(ii) The applicant will not pressurize/ intimidate the prosecution witness.

(iii) The applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him in accordance with law.

(vi) In case, the applicant misuses the liberty of bail during trial and in

order to secure his presence proclamation under Section 84 B.N.S.S. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of B.N.S.

9. It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

(Zafeer Ahmad,J.)

June 4, 2026

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