



2026:AHC-LKO:42227

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4803 of 2026

Kamlendra Pratap Singh @ Kamal

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sachida Nand Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

Instant bail application has been filed on behalf of the applicant with a prayer to release him on bail during the trial in Case Crime No. 369 of 2026, under section 308(4)/ 308(5) B.N.S., Police Station -Kheri, District Lakhimpur Kheri.

It is contended by learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the instant matter. He next submits that the applicant is 18 years of boy and he has been implicated in this case without any cogent reason. He argued that the nature of allegations are not so serious and due to anonymity the applicant has been implicated. He also added that the ingredient of Sections 308(4) and 308(5) of BNS do not attract in it's right perspective. He added that the applicant has no previous criminal history and he is in jail in this case since 31.05.2026. The applicant undertakes that in case, he is granted bail, he will not misuse the liberty of the same and would cooperate in the trial proceedings.

Per contra, learned AGA for the State has opposed the prayer for grant of bail and has submitted that the applicant is involving in committing offence, as such, he is not entitled for bail.

Having heard learned counsel for the parties and having perused the record, this Court is of the view that the applicant is 18 years of boy and has been implicated in the criminal case. There is no such compliant that he is not cooperating in criminal proceedings. He is in jail since 31.05.2026 and he has undertaken that he will not misuse the liberty of bail, if he is granted.

Considering the submissions of learned counsels for the parties, nature of accusation and severity of punishment in case of conviction, nature of supporting evidence, prima facie satisfaction of the Court in support of the charge, reformatory theory of punishment and considering larger mandate of the Article 21 of the Constitution of India and, without expressing any view on the merits of the case, I find it to be a fit case of bail.

Let the applicant- **Kamlendra Pratap Singh @ Kamal**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- 1) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, or otherwise during the investigation or trial;
- (2) 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. He 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 under Section 229-A of the Indian Penal Code;
- (3) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C.; and
- (4) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, the trial court shall initiate proceedings against him, in

accordance with law under Section 174-A of the Indian Penal Code.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the merits of the case.

(Shree Prakash Singh,J.)

June 29, 2026

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