



2026:AHC:167867

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27930 of 2026

Veerpal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Ambreen Masroor, Sadrul Islam Jafri, Sr. Advocate
Counsel for Opposite Party(s)	: G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Shubham Kushwaha, Advocate submitted that today he has filed his power on behalf the informant in the office of this Court therefore his name could not be shown in the cause list.
2. Heard Sri N.I. Jafri, learned Senior Counsel assisted by Ms. Umra, learned counsel for the applicant; Sri Shubham Kushwaha, learned counsel for the informant and Sri Rajiv Dhar Dwivedi, learned AGA for the State-respondent.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 48 of 2026, under Sections 191(2), 115(2), 103(1) BNS, Police Station Raya, District Mathura, during pendency of the trial in the court below.
4. Learned counsel for the applicant submitted that however applicant is named in the FIR alongwith seven others and as per allegation, earlier on 15.02.2026 at 2:30 p.m. in the afternoon, applicant alongwith co-accused Rajvir, Vishnu, Nahne beaten the son of the informant Rohit and thereafter they alongwith other accused made assault upon him due to which he sustained injuries and died but entire allegations leveled against the applicant are totally false.
5. He further submitted that as per prosecution, as many as six persons made assault upon the deceased but deceased sustained only one lacerated wound, therefore, it appears to be the case of over implication.

6. He further submitted that from the FIR and the statements of eye witnesses it is apparent that only general role has been assigned to all the accused including applicant.

7. He further submitted that as earlier some dispute of the applicant arose with the deceased, therefore, subsequently when he was assaulted and sustained single lacerated wound in some other manner then applicant and others have been made accused in the present matter. He further submitted that applicant never made assault upon the deceased.

8. He further submitted that applicant is having no other previous criminal history and in the present matter he is in jail for the last almost six months.

9. Per contra, learned AGA and learned counsel for informant opposed the prayer for bail and submitted that applicant is named in the FIR alongwith others and earlier also he had made assault upon the deceased and thereafter again he alongwith others made assault due to which deceased sustained injury and died but could not dispute the fact that only general role has been assigned to all the accused who were total six in number and deceased sustained only one lacerated wound.

10. They further could not dispute the fact that applicant is having no previous criminal history and in the present matter he is in jail for last almost six months.

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

12. However, applicant is named in the FIR and as per allegation, he alongwith six others made assault, due to which deceased sustained injuries and died but postmortem report suggests that the deceased sustained only single lacerated wound and therefore, prima facie, it appears to be a case of over-implication specially considering the fact that only general allegations have been made against all the six accused.

13. Further, even it reflects, some dispute was pending between both the sides and earlier on the same day i.e. on the date of incident also dispute arose between both sides.

14. Considering above fact, argument advanced by learned counsel for the applicant that as earlier on the same day dispute arose between both sides,

therefore, when deceased somehow sustained a lacerated wound and died then only due to previous dispute applicant has also been roped in the present matter alongwith others cannot be ruled out.

15. Further, apart from the present case applicant is having no previous criminal history and in the present matter he is in jail for last almost six months.

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

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

18. Let the applicant-**Veerpal**, 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.

19. 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.

20. 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.

August 11, 2026
Ankita

(Sameer Jain,J.)