



2026:AHC:175090

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29270 of 2026

Rajesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anuj Kumar Gupta
Counsel for Opposite Party(s)	:	Bharat Singh, G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Bharat Singh, Advocate submitted that on 18.8.2026 he has filed his power on behalf of the informant in the office of this Court but his name could not be shown in the cause list.
2. Heard Sri Anuj Kumar Gupta, learned counsel for the applicant; Sri Bharat Singh, learned counsel for the informant and learned AGA for the State-respondent.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 149 of 2026, under Sections 191(2), 103(1) BNS, Police Station Rajpura, District Sambhal, during pendency of the trial in the court below.
4. Learned counsel for the applicant submitted that however, as per allegation applicant alongwith others made assault through wooden sticks due to which deceased died but post mortem report suggests that deceased did not sustain any injury and his cause of death could not be ascertained and therefore, involvement of the applicant prima facie appears to be doubtful.
5. He further submitted that alongwith the applicant co-accused Vijaypal was also named and he has been released on interim anticipatory bail by the co-ordinate Bench of this Court vide order dated 11.8.2026 passed in CrI. Misc. Bail Application No. 8132 of 2026 and as far as allegations are concerned case of applicant is at par with him.
6. He further submitted that applicant is having no criminal history and he is in jail in the present matter since 26.7.2026.

7. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

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

9. However, it reflects that applicant is in jail in the present matter only since 26.7.2026 but as per allegation he alongwith four others made assault through wooden sticks upon the deceased due to which he sustained injuries and died and post mortem report suggests that deceased did not sustain any injury and therefore, prima facie his involvement in the instant crime appears to be doubtful, therefore, merely on the basis of short period of incarceration it is not proper to withhold the instant bail application filed by applicant.

10. Further, even it reflects, co-accused Vijaypal who was also named in the FIR alongwith applicant is on interim anticipatory bail and case of applicant is at part with him.

11. Further, applicant is having no previous criminal history.

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

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

14. Let the applicant-**Rajesh**, 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.

15. 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.

16. 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 19, 2026
Ankita

(Sameer Jain,J.)