



2026:AHC:175114

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29281 of 2026

Bhagwali Rajput

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vaibhav Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed today on behalf of the applicant, is taken on record.
2. Heard Sri S.K. Tripathi, Advocate holding brief of Sri Vaibhav Gupta, learned counsel for the applicant and Sri Shatrughan Yadav, learned AGA for the State-respondent.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 279 of 2025, under Sections 103(1) BNS, Police Station Charkhari, District Mahoba, during pendency of the trial in the court below.
4. Learned counsel for the applicant submitted that however as per allegation applicant committed the murder of his father but there is no eye witness account and it reflects, merely on the basis of suspicion informant who was his elder brother implicated him in the present matter.
5. He further submitted that except suspicion and recovery of a brick, there is no cogent evidence against the applicant on record.
6. He further submitted that even during trial informant and his son did not support the prosecution case and have been declared hostile and their statements have been annexed alongwith the affidavit and supplementary affidavit filed in support to the instant bail application.
7. He further submitted that applicant is having no criminal history and he is in jail in the present matter since 28.12.2025.

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

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

10. However, as per allegation applicant committed the murder of his father by causing brick injury to him but it reflects, it is a case of circumstantial evidence and except suspicion and recovery of a brick on the pointing out of the applicant, there is no cogent evidence against the applicant on record.

11. Further, even it reflects, during trial informant who was elder brother of the applicant and his son did not support the prosecution case and they have been declared hostile.

12. Further, applicant is having no criminal history and he is in jail in the present matter for last almost eight months.

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

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

15. Let the applicant-**Bhagwali Rajput**, 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.

16. 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.

17. 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.)