



2026:AHC:175666

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29341 of 2026

Ajeet

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Himanshu Pandey
Counsel for Opposite Party(s) : G.A., Rajesh Singh, Sanjay Kushwaha

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Himanshu Pandey, learned counsel for the applicant, Sri Rajesh Singh, learned counsel for the informant and Sri Vijay Kumar, learned AGA-I, for the State.
2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.61 of 2026, under Sections 115(2), 103(1), 191(2) and 191(3) BNS, Police Station .Charwa, District Kaushambi during pendency of the trial.
3. Learned counsel for the applicant submits that however, as per allegation applicant along with others committed the murder of the deceased and even in the incident informant sustained injuries but in the FIR only general role has been assigned to all the accused.
4. He further submits that however, when the statement of the injured, i.e., informant was recorded during investigation then he assigned the role of catching hold to applicant and three others and assigned the role of causing injuries through 'chapad' to co-accused Ramlal and, therefore, informant, who is however, injured of the case developed the prosecution case in his statement and, therefore, no reliance can be placed upon his statement with regard to the role assigned to the applicant.
5. He further submits that even there are number of eye witnesses and they attributed general role to all the accused.
6. He further submits that above facts clearly suggests that applicant is innocent and on the basis of false allegation along with others he has also

been made accused in the present matter.

7. He further argued that applicant is not having any previous criminal history and in the present matter he is in jail since 3.4.2026, i.e., for the last more than four months.

8. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail and submitted that it is a case of day light murder and applicant is named in the FIR along with others and even in the incident informant sustained injuries and as informant in his statement recorded under Section 180 BNSS attributed the role of catching hold to applicant, therefore, it cannot be said that applicant is innocent.

9. They further submitted that even after considering the entire facts in detail bail application of co-accused Ravendra has been dismissed by this Court vide order dated 12.8.2026 passed in Criminal Misc.Bail Application No. 27255 of 2026 and role of catching hold was also assigned to him by the informant in his statement.

10. They further submitted that even applicant is jail only since 3.4.2026. They further submits, therefore, considering the above facts of the case, instant bail application may be dismissed.

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

12. It is a case of day light murder and even in the incident informant also sustained injuries.

13. Further, even applicant is named in the FIR along with four others and however, in the FIR only general role has been assigned to all the accused but in the statement recorded during investigation, informant, i.e., injured of the case, categorically stated that applicant and co-accused Ravendra along with two others caught hold the deceased and thereafter co-accused Ramlal caused 'chavad' injuries to him.

14. Considering the fact that 'chavad' is a sharp edged weapon, in view of this Court prima facie it cannot be said that applicant is innocent.

15. Further, as FIR of a criminal case is not an encyclopedia and therefore, even if entire facts could not be disclosed in it and if informant

discloses those facts in his statement then it cannot be said that during investigation he developed the case of prosecution .

16. Further, even from the FIR and the statements of other eye witnesses it reflect that applicant was also along with other accused at spot and he participated in the alleged incident of assault.

17. Further, even with a very detailed and reasoned order bail application of co-accused Ravendra has been dismissed and he was also assigned the role of caching hold by the informant in his statement recorded during investigation.

18. Further, even in the present matter applicant is in jail hardly for the last four months.

19. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is not entitled to be released on bail.

20. Accordingly, the instant bail application is **rejected** at this stage.

21. 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.

(Sameer Jain,J.)

August 20, 2026

SKM