



2026:AHC:173647

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 29043 of 2026

Saurabh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohit Kumar Singh, Sujata Choudhary
Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Maqsood Alam, advocate filed his power on behalf of the informant which is taken on record.
2. However alongwith the instant bail application free true copy of the bail rejection order passed by the court concerned has not been annexed but considering the explanation given by the applicant in paragraph-34 of the paper-book the instant application is being heard on merit.
3. Heard Ms. Sujata Choudhary, learned counsel for the applicant, Sri Maqsood Alam, learned counsel for the informant and Sri Shatruhan Yadav, learned AGA for the State.
4. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.323 of 2024, under Sections 191(3), 190, 115, 352, 103(1), 61(2) BNS and Sections 3/5/25/27 Arms Act, Police Station Sardhana, District Meerut, during pendency of the trial.
5. Learned counsel for the applicant submits, however applicant is named in the FIR alongwith others including co-accused Mohit and even from the statement of witness it reflects, applicant and co-accused Mohit were the principal accused who caused firearm injury to the deceased but with a very detailed order co-accused Mohit has been released on bail by this Court vide order dated 24.07.2026 passed in Criminal Misc. Bail Application No.16620 of 2025 and case of applicant is at par with him.
6. He further submits, however apart from the present case applicant is

also having criminal history of three other cases but his criminal history and has been explained alongwith the instant bail application.

7. He further argued, in the present matter applicant is in jail since 11.07.2024 i.e. for last more than two years.

8. Per contra, learned AGA as well as learned counsel for the informant however opposed the prayer for bail but could not dispute the fact that co-accused Mohit has been released on bail by this Court with a very detailed order and case of applicant is at par with him. They also could not dispute the fact that applicant is in jail for last more than two years.

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

10. However, as per prosecution applicant alongwith co-accused Mohit opened fire upon the deceased due to which deceased sustained injuries and died but co-accused Mohit has been released on bail with a very detailed order by this Court and there is no reason to take contrary view in the instant bail application.

11. Further, however apart from the present case applicant is having criminal history of three other cases and his criminal history has been explained.

12. Further, even in the present matter applicant is in jail since 11.07.2024 i.e. for last more than two years.

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 - **Saurabh** 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.

(Sameer Jain,J.)

August 18, 2026
Shahroz