



2026:AHC:174660

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29136 of 2026

Sunil Mishra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Vikash Chandra Tiwari
Counsel for Opposite Party(s)	: Dharendra Kumar Srivastava, G.A., Shaym Dhar Yadav

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri D.K. Srivastava, learned Advocate submits, he has filed his power on behalf of informant but his name could not be shown in the cause list.
2. Heard Sri Vikash Chandra Tiwari, learned counsel for the applicant, Sri D.K. Srivastava, learned counsel for informant and Sri Kunwar Tejandra Bahadur, learned AGA for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 192 of 2026, under Sections 191(2), 191(3), 103(1), 115(2) BNS, Police Station Baksha, District Jaunpur during pendency of the trial.
4. Learned counsel for the applicant submits, however, applicant is named in the FIR but only general role has been assigned to all the accused including applicant and co-accused Mridul Mishra and after considering the entire facts of the case co-accused Mridul Mishra has been released on bail by this Court and his bail order has been annexed at page-58 of the supplementary affidavit dated 13.08.2026 and case of applicant is at par with him.
5. He further submits, apart from the present case applicant is having criminal history of two other cases but both the cases relate to minor offences and in the present matter he is in jail since 23.04.2026.
6. Per contra, learned AGA as well as learned counsel for informant opposed the prayer for bail and submit, from the eye witness account it is apparent that applicant also participated along with other accused but they could not

dispute the fact that all the eye witnesses assigned only general role to all the accused including applicant and co-accused Mridul Mishra and co-accused Mridul Mishra has been released on bail.

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

8. However, as per allegation, applicant and others including co-accused Mridul Mishra made assault through wooden stick due to which deceased sustained injuries and died but it reflects, only general role has been assigned to all the accused.

9. Further, even co-accused Mridul Mishra has been released on bail and case of applicant is at par with him.

10. Further, apart from the present case applicant is having criminal history of two other cases but both the cases relate to minor offences and in the present matter he is in jail since 23.04.2026.

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

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

13. Let the applicant - Sunil Mishra 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.

14. 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.

15. 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
AK Pandey

(Sameer Jain,J.)