



2026:AHC:174895

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29193 of 2026

Satendra Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rakesh Kuamr Yadav
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 Sidharth Mishra, Advocate holding brief of Sri Rakesh Kumar Yadav, learned counsel for the applicant and Sri Rajiv Dhar Dwivedi, learned AGA for the State-respondent.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 39 of 2026, under Sections 103(1) BNS, Police Station Express-way, District Gautam Budh Nagar, during pendency of the trial in the court below.
4. Learned counsel for the applicant submitted that it is a case of circumstantial evidence and FIR of the present case was lodged against unknown person with regard to the murder of the son of the informant but during investigation applicant who is son of the deceased has been made accused in the present matter with the allegation that relationship of son and father was not cordial, therefore, he committed his murder but entire allegations levelled against the applicant are totally false.
5. He further submitted that except the suspicion and confessional statement of the applicant before police as per prosecution when applicant was arrested then from his possession one iron pin was recovered which he used in the commission of the alleged crime.
6. He further submitted that except above evidence, there is no other evidence against the applicant on record.

7. He further submitted that merely on the basis of above evidence, prima facie, it cannot be said that applicant committed the murder of his father.

8. He further submitted that applicant is having no previous criminal history and he is in jail in the present matter since 6.3.2026.

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

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

11. It is a case of circumstantial evidence and it reflects, during investigation on the basis of suspicion applicant who was son of the deceased has been made accused in the present matter.

12. Record further suggests that apart from the suspicion and confessional statement of the applicant before the police however as per prosecution when applicant was arrested then from his possession one iron pin was recovered which was allegedly used by him in commission of the alleged crime but in considered view of this Court, merely on the basis of above evidences prima facie it cannot be said that applicant committed the murder of the deceased who was though his father.

13. Further, even learned AGA could not place any other evidence before this Court except the above evidences.

14. Further, applicant is having no previous criminal history and he is in jail in the present matter since 6.3.2026.

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

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

17. Let the applicant-**Satendra Kumar**, 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.

18. 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.

19. 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.)