



2026:AHC:7198

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 450 of 2026

Sikander Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashok Kumar Singh Bais
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ashok Kumar Singh Bais, learned counsel for the applicant, Sri Vivek Kumar Maheshwari, learned counsel for the informant and Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 403 of 2017, under Sections 302, 120-B I.P.C., Police Station Chhapar, District Muzaffar Nagar, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that similarly placed co-accused person, Vinod Kumar has already been enlarged on bail by this Court vide order dated 3.12.2025 passed in Criminal Misc. Bail Application No. 42622 of 2025. The applicant is languishing in jail since 1.11.2025 having no criminal history. He further submitted that since the role of the applicant is identical to that of co-accused, who has already been enlarged on bail, he is also entitled to be enlarged on bail on the ground of parity.
5. The prayer for bail have been vehemently opposed by learned A.G.A. and learned counsel for the informant on the ground that the application was moved by the deceased before the Chowki Incharge concerned stating that he had apprehension that the applicant might put him to death. However, the aforesaid factual aspects of parity to the co-accused and of

no criminal history of the applicant, have not been disputed by him.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the police had filed closure report in the instant case thrice before the nomination of the applicant and the witnesses have been roped in subsequently and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail on the ground of parity. The bail application is **allowed** on the ground of parity.

7. Let the applicant- **Sikander Singh** involved in aforementioned case crime number be released on bail on furnishing a personal bond and two heavy sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will not tamper with the evidence during the trial.
2. The applicant will not pressurize/ intimidate the prosecution witness.
3. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.
4. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.
5. The applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.
8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.
9. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.
10. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion on the testimony of the witnesses.

(Krishan Pahal,J.)

January 12, 2026

Shalini