



2026:AHC:13527

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 40940 of 2025

Jitendra Kumar Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mahendra Bahadur Singh, Rishabh Singh, Vijeta Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Ms. Vijeta Singh, learned counsel for the applicant, Sri Puneet Kumar Singh, learned AGA for the State and perused the entire material available on record.

This is a second bail application filed by the applicant. The first bail application filed by the present applicant was rejected by this Court vide order dated 19.08.2025, passed in Criminal Misc. Bail Application No. 19360 of 2025, copy whereof has been brought on record as Annexure No. 1 to the bail application.

The applicant has filed this second bail application with a prayer to enlarge him on bail in Case Crime No. 61 of 2025, under Sections 115(2), 352, 351(2), 3(5), 109(1) and 103(1) of BNS, Police Station Koraon, District Prayagraj, during the pendency of the trial.

In support of this second bail application, learned counsel for the applicant has reiterated the entire submissions made in the first bail application, which are not necessary to mention herein again by this Court.

Apart from the above, learned counsel for the applicant submits that in the present case charge sheet has been filed by the Investigating Officer against the applicant and the Court concerned has also taken cognizance. She further submits that there are 14 witness in the prosecution case and the trial of the case is proceeding at snail's pace as such there is no possibility of conclusion

of trial in near future. Learned counsel for the applicant has invited the attention of the court to the order sheet of the proceedings to demonstrate that the trial is being delayed at the instance of the witnesses who have not been appearing on the dates fixed even though the applicant is being produced from the jail. Learned counsel for the applicant further submits that the applicant is languishing in jail since 17.03.2025 and therefore, submits that on the above grounds, the applicant is liable to be enlarged on bail.

Learned AGA has vehemently opposed, but could not dispute the aforesaid facts.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the accused-applicant, ***Jitendra Kumar Yadav***, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 20, 2026

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(Ashutosh Srivastava,J.)