



2026:AHC:16914

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27265 of 2025

Arman

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Amir Khan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed today on behalf of the applicant is taken on record.
2. Heard Sri Amir Khan, learned counsel for the applicant and Sri S.B. Maurya, learned AGA for the State-respondent.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 1111 of 2023, under Sections 302, 307, 504, 506, 34 IPC & Section 4/25 Arms Act, Police Station Khurja Nagar, District Bulandshahr, during pendency of the trial in the court below.
4. Learned counsel for the applicant submitted that this is second bail application filed on behalf of the applicant and his first bail application has been dismissed vide order dated 11.3.2025.
5. He further submitted that applicant is in jail in the present matter since 16.12.2023 i.e. for last more than two years and till date out of 24 witnesses only five could be examined and therefore, trial of the case is moving with languid pace and there is no hope of its early disposal.
6. He further submitted that in the incident as per allegation Danish also sustained injury and when his statement was recorded by the trial court then in his statement he categorically stated that co-accused Shamsheer caused knife injury to the deceased and as per his statement applicant and co-accused Vakil made assault upon him and therefore, it reflects, applicant did not cause injury to the deceased.
7. He further submitted that co-accused Vakil has already been released on bail by this Court and his bail order has been annexed alongwith the instant

bail application.

8. He further submitted that in the light of the statement of the injured Danish recorded before trial court case of applicant is at par with co-accused Vakil.

9. He further submitted that apart from the present case, applicant is having no other criminal history.

10. Per contra, learned AGA opposed the prayer for bail and submitted that this is second bail application filed on behalf of the applicant but could not dispute the fact that applicant is in jail in the present matter for last more two years and till date out of 24 witnesses of charge sheet only five could be examined.

11. He further could not dispute that from the statement of the injured Danish recorded before the trial court it could not be reflected that applicant caused any injury to the deceased and from his statement it appears, case of applicant is at par with co-accused Vakil and co-accused Vakil has been released on bail by this Court.

12. He further could not dispute that apart from the present case applicant is having no other criminal history.

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

14. However, this is second bail application filed on behalf of the applicant and his first bail application has been dismissed after considering the fact that he alongwith two others made assault due to which one person died and one person sustained injury but it reflects when injured Danish was examined by the trial court a PW 2 then he categorically stated that co-accused Shamsheer was the person who caused injury to the deceased and according to him, applicant and co-accused Vakil caused injury to him. Further, from his statement it also reflects, case of applicant is at par with case of co-accused Vakil and co-accused Vakil has already been released on bail by this Court.

15. Further, in the present matter, applicant is in jail since December, 2023 i.e. for last more than two years and it reflects out of 24 witnesses of the charge sheet till date only five could be examined, therefore, it appears trial of the case is moving with languid pace and there is no hope of early disposal.

16. Further, apart from the present case applicant is having no other criminal history.

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

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

19. Let the applicant-**Arman**, 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.

20. 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.

21. 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.

January 22, 2026
Ankita

(Sameer Jain,J.)