



2026:AHC:1653

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 44131 of 2025

Dharmendra And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Arun Kumar Bhatt
Counsel for Opposite Party(s)	: G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Arun Kumar Bhatt, learned counsel for the applicants and Sri Arun Kumar Mishra, learned A.G.A. for the State and also perused the material placed on record.
3. Applicants seek bail in Case Crime No. 526 of 2025, under Sections 103(1), 351(3), 3(5) of BNS, Police Station - Kotwali, District - Mainpuri, during the pendency of trial.
4. Learned counsel for the applicants has argued that the applicants have been falsely implicated in the present case. They have nothing to do with the said offence as alleged in the FIR. They have not named in the FIR. Even the informant has not nominated the applicant in the statement recorded u/s 180 BNSS.
5. Learned counsel has also stated that subsequent to it, the statement of the victim's mother was recorded, wherein the role of the applicants was assigned as members of an unlawful assembly. It is a clear-cut case of false implication.
6. Learned counsel has next contended that there is no criminal history of the applicants. The applicants are languishing in jail since 31.07.2025, and they are ready to cooperate with trial. In case, the applicants are released on bail, they will not misuse the liberty of bail.
7. Per contra, learned AGA has vehemently opposed the bail application but

unable to dispute the submissions raised by the learned counsel for the applicants and also the fact that the applicants have no criminal history.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties and also considering the fact that the applicants are not named in the FIR, *prima facie*, I find it a fit case to release the applicants on bail. The bail application is **allowed**.

9. Let the applicants- **Dharmendra and Bhola**, who are involved in aforementioned case crime be released on bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- i) The applicants will not tamper with the evidence during trial.
- ii) The applicants will not pressurise/intimidate with the prosecution witnesses.
- iii) The applicants will appear before the trial court on the date fixed.

10. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

11. It is made clear that observations made in granting bail to the applicants shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

January 5, 2026
Siddhant

(Krishan Pahal,J.)