



2026:AHC:870

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 23425 of 2025

Vinod Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Gauri Shankar Yadav, Imran Syed,
Umair Alam
Counsel for Opposite Party(s) : G.A., Madan Singh

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Imran Syed and Shri Gauri Shankar Yadav, learned counsel for the applicant, Sri Madan Singh, learned counsel for the first informant and Sri Vijendra Kumar, learned AGA for the State.

The instant bail application has been filed seeking release of the applicant-Vinod Kumar, on bail in Case Crime No. 165 of 2024, under Sections 85, 115 (2), 351 (2), 109 (1) BNS and section 3/4 of Dowry Prohibition Act, Police Station-Aichora Kamboh, District-Sambhal, during pendency of the trial.

Learned counsel for the applicant submits that the accused applicant is innocent. He has been falsely implicated in the present case and is languishing in jail since 22.03.2025. He further submits that a First Information Report was lodged by the first informant/ victim, with a delay of five days without any plausible explanation, with the allegation that her marriage was solemnized with the applicant on 06.05.2006 and she has three daughters and two sons. It has been further alleged that on the date of incident the applicant, who is husband of the first informant, and other named family members of the applicant, severely beaten the first informant with iron rod in which the hands and one leg of the victim has broken. The victim called 108 for help and the police personnel took her to the Health Center Asmali and due to her serious condition for better treatment she was admitted in Sambhal Joint Hospital. Learned counsel for the applicant submits that there is contradiction in the version of the First Information Report as well as in the statement under Section 180 BNSS. Learned counsel for the applicant submits that in the present case charge sheet has been filed on 26.03.2025 and there is no need of further custodial interrogation of the applicant. After arguing at some length learned counsel for the applicant submits that the applicant is languishing in jail since last more than eight months. The applicant has no criminal antecedent and there is no likelihood of his fleeing from course of justice

or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail but could not dispute the fact that charge sheet has been filed and the applicant is languishing in jail since last more than eight months.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, period of incarceration and 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, ***Vinod Kumar***, 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.

(Ashutosh Srivastava,J.)

January 5, 2026

Deepak/