



2026:AHC:1515

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 44173 of 2025

Suraj Chaudhary

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sunil Vashisth, Vishwanath Mishra
Counsel for Opposite Party(s)	:	Anil Kumar, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Sunil Vashisth, learned counsel for the applicant and Sri Anil Kumar, learned counsel for the informant as well as Sri Sunil Kumar, learned A.G.A. for the State and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 183 of 2025, under Sections 191(2), 115(2), 351(3), 352, 103(1), 3(5) of BNS, Police Station - Belipar, District - Gorakhpur**, during the pendency of trial.
4. As per the version of FIR, the applicant has been assigned the role of having assaulting the informant's mother-in-law (now deceased) with brick but subsequently the statements of the informant and eye-witnesses were recorded and they have assigned general and omnibus role to all the accused persons including the applicant.
5. Learned counsel for the applicant has that the co-accused Sheela Devi has been enlarged on bail by this Court vide order dated 21.08.2025 passed in C.M.B.A. No. 28608 of 2025. Three other co-accused persons have been enlarged on bail by coordinate Bench of this Court on different dates. It is further submitted that since the case of the applicant is at par to the co-accused, who has already been enlarged on bail, he is also entitled to be enlarged on bail on the ground of parity.
6. Learned counsel has also stated that the applicant is languishing in jail since 13.06.2025, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall

cooperate with trial.

7. Per contra, learned AGA and learned counsel for the informant have vehemently opposed the bail application on the ground that as per FIR version, the applicant is the main accused person, although the witnesses have assigned general role to all the accused persons. However, they could not dispute the fact that the applicant has no criminal history.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, nature of offence, severity of punishment and also considering the fact that there being general role assigned to all the accused persons, prima facie I find it a fit case to release the applicant on bail. The bail application is **allowed**.

9. Let the applicant- **Suraj Chaudhary**, who is involved in aforementioned case crime be released on bail on his 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 applicant will not tamper with the evidence during trial.
- ii) The applicant will not pressurise/intimidate with the prosecution witnesses.
- iii) The applicant 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 applicant 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.)