



2026:AHC:17526

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 155 of 2026

Mohd Mohsin

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Onkar Singh, Sachin Malik

Counsel for Opposite Party(s) : Ambreen Masroor, G.A., Sadrul Islam Jafri

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Onkar Singh, learned counsel for the applicant, Sri Gufran Ahmad Khan, learned Advocate holding brief for Sri Sadrul Islam Jafri, learned counsel for the informant and Sri R.P. Singh, learned State Law Officer and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 6 of 2023, under Sections 364, 302, 201 I.P.C., Police Station Phugana, District Muzaffarnagar, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The applicant was named in the FIR but he was exonerated by the police. Subsequently, the applicant and co-accused persons were summoned by the trial court by invoking power under Section 319 Cr.P.C. The case of the applicant is at a better footing to the co-accused person Akil, who has been enlarged on bail by this Court, as such, the applicant is also entitled for bail. There is no recovery at the pointing out of the applicant.

5. Learned counsel for the applicant has further stated that there is no criminal history of the applicant. The applicant is languishing in jail since 28.10.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned State Law Officer and learned counsel for the informant have vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the applicant was exonerated by the police and the co-accused person has already been enlarged on bail by this Court and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Mohd Mohsin**, 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 shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

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

10. 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.

(Krishan Pahal,J.)

January 27, 2026
Shalini