



2026:AHC:18287

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38673 of 2025

Raju And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mool Chandra Maurya
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Mool Chandra Maurya, learned counsel for the applicants, Sri Abhishek Mishra, learned A.G.A. for the State and perused the material placed on record.
3. Applicants seek bail in Case Crime No.278 of 2021, under Section 302 I.P.C., Police Station Ganjdundawara, District Kasganj, during the pendency of trial.
4. It is submitted by learned counsel for the applicants that similarly placed co-accused person Ku. Labi has already been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 6.7.2022 passed in Criminal Misc. Bail Application No.22027 of 2022. There is no criminal history of the applicants. The applicants are languishing in jail since 12.10.2025. He further submitted that since the roles of the applicants are identical to that of co-accused who has already been enlarged on bail, they are also entitled to be enlarged on bail on the ground of parity. In case, the applicants are released on bail, they will not misuse the liberty of bail.
5. The prayer for bail has been vehemently opposed by learned A.G.A. However, the aforesaid factual aspect of the parity to the co-accused has not been disputed by him.
6. Considering the facts and circumstances of the case and in light of the

judgement passed by this Court in *Nanha S/o Nabhan Kha vs. State of U.P., 1993 Crl.L.J. 938* and the judgements passed by the Supreme Court in *Paras Ram Vishnoi vs. The Director, Central Bureau of Investigation, MANU/SCOR/22410/2021* and in *Satender Kumar Antil vs. Central Bureau of Investigation and Another, (2022) 10 SCC 51*, the Court is of the view that the applicants have made out a case for bail. The bail application is **allowed** on the ground of parity.

7. Let the applicants- **Raju** and **Bhanu**, 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 shall not tamper with evidence during trial.
- (ii) The applicants shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicants shall appear before the trial court on the date fixed.

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

9. 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 their independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

January 27, 2026
(Ravi Kant)