



2026:AHC:12737

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6370 of 2025

Chandrika Ram

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Jitendra Prasad Mishra, Prateek Srivastava, Pulkit
Counsel for Opposite Party(s)	:	Diwan Saifullah Khan, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Jitendra Prasad Mishra, learned counsel for the applicant, Sri Diwan Saifullah Khan, learned counsel for the informant, Sri Jai Kishan Chaurasia, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.30 of 2024, under Sections 302, 120B, 201 I.P.C. and 4/25 Arms Act, Police Station Laksa, District Varanasi, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is not named in the FIR and has been falsely implicated in the present case. His name has come up subsequently after institution of FIR on 12.05.2024 in the statement of the informant recorded under Section 161 Cr.P.C. The FIR itself is delayed by about 4 days and there is no explanation of the said delay caused. A false recovery of headless body of the deceased person is stated to have been foisted on the applicant. The said recovery of the dead body is from an open place, which is found concealed behind the bushes.
5. Learned counsel for the applicant has further argued that the CDR location of the applicant is stated to be within the area of place of recovery of dead body. The said CDR does not indicate that the applicant was present at the place of occurrence. There is no criminal history of the applicant. The applicant is languishing in jail since 17.05.2024 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 counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the CDR report indicates the presence of the applicant in the vicinity of place of recovery of the dead body and the dead body has been recovered at his pointing out, as such, he is not entitled for bail.

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 delay in institution of FIR and the fact that the name of the applicant has come up after a delay of further one day from institution of FIR as an afterthought coupled with the fact that the recovery of headless body of the deceased person has been made from an open space, 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- **Chandrika Ram**, 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 19, 2026

(Ravi Kant)