



2026:AHC:12307

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 10474 of 2025

Raju @ Raj Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anil Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today is taken on record.

2. Heard Sri Anil Kumar Mishra, learned counsel for the applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.233 of 2023, under Sections 302/34, 120-B I.P.C., Police Station Badgaon, District Saharanpur, 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 in the confessional statement of the co-accused Jitendra @ Darshal, who has already been enlarged on bail by this Court. The said statement has no evidentiary value in the eyes of law. The trial is moving at a snail's pace as no prosecution witness has been examined to date.

5. Learned counsel for the applicant has further argued that the criminal history of 12 cases assigned to the applicant stands explained. In 2 cases at Haryana, he has yet to apply for bail. The applicant is languishing in jail since 06.02.2024 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 A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

7. This Court had called for the status of trial from the concerned Trial

Court. As per the said status report dated 02.12.2025, no witness has been examined to date.

8. The Supreme Court in ***Prabhakar Tewari vs. State of U.P. And Another, (2020) 11 SCC 648*** has observed that pendency of several criminal cases against an accused itself cannot be a basis for refusal of bail, if otherwise his case for bail is made out.

9. 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 is not named in the FIR and his name has come up in the confessional statement of co-accused, which has no evidentiary value coupled with the fact that no prosecution witness has been examined to date, 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**.

10. Let the applicant- **Raju @ Raj Singh**, 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.

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

12. 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)