



2026:AHC:8639

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 12878 of 2025

Pintu Alias Lakadu Thathera

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Arvind Kumar Kushwaha, Pooja
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Rejoinder affidavit filed today by the learned counsel for the applicant is taken on record.
2. Heard Sri Arvind Kumar Kushwaha and Smt. Pooja, learned counsels for the applicant and Sri Arun Kumar Mishra, learned A.G.A. for the State and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 94 of 2023, under Sections 302, 201 of IPC, Police Station - Adampur, District - Varanasi**, during the pendency of trial.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case merely on the basis of suspicion. He has nothing to do with the said offence as alleged in the FIR.
5. Learned counsel has further submits that a false recovery of mobile phone of deceased has been shown from one Suraj Rajbhar, and a concocted story has been set up alleging that he had seen the applicant along with co-accused travelling on an e-rickshaw. It is also submitted that a false recovery of e-rickshaw has been foisted upon the applicant, which is allegedly shown to have been recovered from an open place.
6. Learned counsel has next contended that the place from where the CCTV footage was collected is at a considerable distance from the place of recovery of the dead body, as such, the entire prosecution story is false

and fabricated. The applicant is languishing in jail since 6.9.2023, 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 has vehemently opposed the bail application but unable to dispute the submissions raised by the learned counsel for the applicant and also 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 no cogent evidence has come up against the applicant, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

9. Let the applicant- **Pintu Alias Lakadu Thathera**, 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.

(Krishan Pahal,J.)

January 13, 2026

Siddhant