



2026:AHC:3256

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41531 of 2025

Dharmendra Mukhiya

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Bhaskar Bhadra, Rajveer Chaurasiya
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri Puneet Kumar Singh, learned AGA for the State-Respondent and perused the record.

The present bail application has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 33 of 2025, under Sections 109(1) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3/25 of Arms Act, Police Station Mahobkanth, District Mahoba.

Learned counsel for the applicant argued that the accused-applicant is innocent and he has been falsely implicated in this case crime number. Learned counsel for the applicant further submits that it is a case of police firing in which nobody received injury. He further submits that the alleged recovery of one pistol of 315 bore, one empty cartridge and two live cartridges are planted by the Police Personnel. He submits that the applicant was brought to the Police Station with regard to investigation in FIR No. 28 of 2025 and a gun shot was made in his leg at the police station and the applicant was implicated in the aforesaid case. He submits that there is no independent witness of the alleged incident. He submits that no specific role and motive has been assigned to the applicant in the present case. The applicant is languishing in jail since 23.02.2025. The criminal antecedent of the applicant has been explained in the affidavit filed in support of the bail application. He submits that there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, the bail has been prayed for.

Learned AGA has vehemently opposed the prayer of bail, but could not

dispute the above submissions raised by learned counsel for the applicant.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is **allowed**.

Let the accused-applicant, **Dharmendra Mukhiya**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 7, 2026

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(Ashutosh Srivastava,J.)