



2026:AHC:16362

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2242 of 2026

Sumit Baudh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Akhilesh Kumar
Counsel for Opposite Party(s)	:	G.A., Harshit Pathak

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Sikandar Raza, Advocate holding brief of Sri Akhilesh Kumar, learned counsel for the applicant and Sri Anurag Pathak, learned Senior Counsel assisted by Sri Vishal Tripathi, learned counsel for the informant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 436 of 2025, under Sections 109(1), 191(2), 191(3), 103(1), 115(2), 61(2), 3(5) of BNS, Police Station - Sarsawa, District - Saharanpur**, during the pendency of trial.
4. As per prosecution story, the applicant along with other co-accused persons is stated to have assaulted and caused grievous injuries to the maternal uncle of the informant on 20.10.2025 at about 10:30 PM. Prior to it, an altercation ensued between the parties over the firing of crackers.
5. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR.
6. Learned counsel has further submitted that the allegations levelled against all the accused persons are general and omnibus in nature, as no specific overt act has been attributed to any individual accused. It is alleged that the accused persons were carrying bricks, stones and sharp-

edged weapons. Although, no stab injury has been sustained by the deceased. The two injured persons are stated to have sustained only three and two injuries respectively.

7. Learned counsel has further argued that one of the injured persons, namely Rajendra, lodged FIR No. 437 of 2025 subsequent to the lodging of the present FIR, wherein the applicant has not been named as an accused. He has nominated only seven accused persons and has specifically excluded the name of the applicant, which clearly demonstrates that the applicant has been falsely implicated in the present case.

8. Learned counsel has next contended that the applicant is languishing in jail since 25.10.2025, 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.

9. Per contra, learned AGA and learned counsel for the informant have 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.

10. 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 there being general and omnibus allegations against all the accused persons, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

11. Let the applicant- **Sumit Baudh**, 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.

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

13. 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 22, 2026
Siddhant