



2026:AHC:16185

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2409 of 2026

Ashish Kumar Urf Anshu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Amit Kumar, Vindeshwari Prasad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vindeshwari Prasad, learned counsel for the applicant, Sri R.P. Patel, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 516 of 2025, under Sections 103(1) and 61(2)A BNS, Police Station Bilari, District Moradabad, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about one day and there is no explanation of the said delay caused.
5. Learned counsel for the applicant has further argued that there is no ocular evidence of the incident. The inquest report was prepared during the institution of the FIR. The applicant has simply been made an accused on the basis of suspicion that he had illicit relationship with the wife of the deceased. There is no criminal history of the applicant. The applicant is languishing in jail since 14.10.2025 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 State Law Officer has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not

be disputed.

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 FIR and there being no ocular evidence of the incident 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- **Ashish Kumar Urf Anshu**, 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 22, 2026

Shalini