



2026:AHC:16190

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2370 of 2026

Vijay

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Ashok Kumar
Counsel for Opposite Party(s)	: G.A., Virendra Kumar Srivastava

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ashok Kumar, learned counsel for the applicant, Sri Virendra Kumar Srivastava, learned counsel for the informant as well as Ms. Ifrah Islam, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 722 of 2025, under Sections 115(2), 351(3), 352, 103(1)/3(5) BNS, Police Station Jagdishpura, District Agra, during the pendency of trial.
4. As per prosecution story, the applicant alongwith three other co-accused persons namely Shiv Kumar, Pawan and Jeetu is stated to have assaulted and caused grievous injuries to the deceased person leading him to death on 24.10.2025 at about 7.30 pm.
5. 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 five hours and there is no explanation of the said delay caused.
6. Learned counsel for the applicant has further argued that there are general and omnibus allegations against all the accused persons including the applicant. No overt act has been assigned to the applicant. There are six injuries sustained by the deceased person and the cause of death is lacerated wound at the front of head.

7. There is no criminal history of the applicant. The applicant is languishing in jail since 26.10.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

8. 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.

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 no overt act has been assigned to the applicant 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- **Vijay**, 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 22, 2026

Shalini