



2026:AHC:16355

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 780 of 2026

Mohit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anupam Laloriya, Sushil Chaturvedi
Counsel for Opposite Party(s) : Anuj Srivastava, Devaang Savla, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Anupam Laloriya, learned counsel for applicant, Sri Devaang Savla, learned counsel for the informant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.205 of 2025, under Sections 103(1), 352, 351(3) B.N.S. and Section 3/25/27 Arms Act, Police Station Khekra, District Baghpat with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that there is blackening and tattooing observed by the doctor conducting the post-mortem of the deceased person. The deceased has sustained only one gunshot injury. The said blackening and tattooing cannot be caused in the instant incident, as the applicant is stated to have fired from a distance of about 5 paces, which implies that it was about 12-15 feet, as such, the entire story stands falsified. The applicant is entitled to bail, as the informant does not seem to be an eyewitness. He is in jail since 01.07.2025 and is ready to cooperate with trial. In case, he is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the FIR is prompt and it is an open and shut case. The post-mortem report matches with FIR. As far as the distance between the assailant and the

deceased is concerned, it shall be taken care of during trial, as such, the applicant is not entitled for bail.

6. After hearing learned counsel for the parties and taking into consideration the promptness of the FIR and the fact that the post-mortem report matches the FIR, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, ***rejected***.

7. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

8. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

January 22, 2026

(Ravi Kant)