



2026:AHC:17476

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2496 of 2026

Monu @ Kala And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sandeep Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard learned counsel for the applicants as well as Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.
3. Applicants seek bail in Case Crime No. 276 of 2025, under Sections 191(2), 191(3), 109(1), 117(2), 103(1), 352, 351(3), 115(2) BNS, Police Station Binauli, District Baghpat, during the pendency of trial.
4. As per prosecution story, on 8.9.2025, at about 7.30 am, Akshay S/o Pappu is stated to have forcibly run over the father of the informant Jogeram by his tractor, thereby causing grievous injuries to him and even his leg was broken and other parts of the body were injured. Subsequently, on getting the information, the co-accused persons rushed there and alongwith lathi, danda, sword, country-made pistol etc. had assaulted the family members of informant injuring six persons in all and Jogeram, father of the informant, succumbed to the injuries.
5. Learned counsel for the applicants has argued that the applicants are absolutely innocent and have been falsely implicated in the present case.
6. Learned counsel for the applicants has further argued that the said Jogeram did not die at that point of time, rather he was admitted to hospital and discharged thereupon and came to his house. Subsequently, he expired. The cause of death was not the injuries sustained by the deceased in the

instant case. Rather, he expired after fifty days of the incident. The cause of death was septicemia as per the post-mortem report. There are general and omnibus allegations against all the accused persons except Akshay, who is stated to have run the tractor over the deceased. There is no criminal history of the applicants. The applicants are languishing in jail since 3.12.2025 and they are ready to cooperate with trial. In case, the applicants are released on bail, they will not misuse the liberty of bail.

7. Learned A.G.A. has vehemently opposed the bail application but could not dispute the aforesaid submissions of learned counsel for the applicant.

8. 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 there are general and omnibus allegations against all the accused persons except Akshay and without expressing any opinion on the merits of the case, *prima facie*, the Court is of the view that the applicants have made out a case for bail. The bail application is **allowed**.

9. Let the applicants- **Monu @ Kala and Jitendra @ Jite**, who are involved in aforementioned case crime be released on bail on 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 applicants shall not tamper with evidence during trial.
- (ii) The applicants shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicants shall appear before the trial court on the date fixed.

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

11. It is made clear that observations made in granting bail to the applicants 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 27, 2026

Shalini