



2026:AHC:57856

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 7737 of 2026

Satendra Sharma And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Aftab Alam
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the applicants, Sri Shayam Narayan Rai, learned AGA for the State-respondents and perused the record.
2. This bail application has been moved on behalf of accused-applicants **Satendra Sharma** and **Munna Sharma** seeking enlargement on bail Case Crime No.488 of 2025, under Sections 109(1), 191(3), 115(2), 351(3) B.N.S., Police Station Bairiya, District Ballia.
3. Tersely, as per the allegation contained in the FIR, six accused persons including the applicants have caused sharp weapon injury to four injured persons, namely Shiv Lakhan Verma, Sandesh Maurya, Lalbabu Maurya, Gudiya Maurya.
4. Learned counsel for the applicants submits that the accused-applicants have not committed any offence as alleged in the FIR and have been falsely implicated in this case. Applicants are languishing in jail since 17.12.2025. It is submitted that though applicants are named in the FIR but no specific and distinct role of applicants regarding causing injury to the injured persons has been assigned either in the FIR or in the statement of injured persons. It is further submitted that the injured persons in their statements recorded under Section 180 B.N.S.S. have assigned the role of causing grievous injury/sharp weapon injury to co-accused Avnish Sharma, whereas applicants have been assigned the role of only catching hold the injured. It is argued that co-accused Ramesh Sharma having similar role has already been enlarged on bail by this Court vide order dated 11.03.2026 passed in Criminal Misc. Bail Application No.7016 of 2026. It is further argued that applicants have no criminal antecedents to their credit. Submission is that the conclusion of trial will take sufficiently long and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

5. Per contra, learned A.G.A. has opposed the prayer for bail of the applicants by contending that the innocence of the applicants cannot be adjudged at pre trial stage, therefore, they do not deserve any indulgence. In case the applicants are released on bail, they will again indulge in similar activities and will misuse the liberty of bail.

6. Having considered the submissions of the parties noted above as also the facts that though applicants are named in the FIR but no specific and distinct role of applicants regarding causing injury to the injured persons has been assigned either in the FIR or in the statement of injured persons, the injured persons in their statements recorded under Section 180 B.N.S.S. have assigned the role of causing grievous injury/sharp weapon injury to co-accused Avnish Sharma, whereas applicants have been assigned the role of only catching hold the injured, they have no criminal history, as per information of learned A.G.A., charge-sheet has been submitted in this case on 05.02.2026, therefore, there is no reasonable possibility of intimidating/pressurizing the prosecution witnesses and keeping in view the uncertainty regarding conclusion of trial; larger mandate of the Article 21 of the Constitution of India, considering paragraph no.53 of Apex Court in case of **Manish Sisodia vs. Directorate of Enforcement 2024 (SC) LawSuit 677**, dictum of Apex Court in **Union of India vs. K.A. Najeeb (2021) 3 SCC 713** & **Satender Kumar Antil vs. Central Bureau of Investigation & Anr. (2022) 10 SCC 51** and without expressing any opinion on the merits of the case, let the applicants involved in the aforesaid crime be released on bail on their furnishing personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that:-

- (i) The applicants shall not tamper with the evidence or threaten the witnesses.
- (ii) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in Court.
- (iii) The applicants shall remain present before the trial court on each date fixed, either personally or as directed by the court concerned.
- (iv) The applicants shall remain present in person before the Trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement of accused personally to explain circumstances appearing in the evidence against them.
- (v) In case the applicants misuse the liberty of bail during trial and in order to secure his presence, the trial court shall initiate proceedings against them strictly in accordance with law.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail by the trial court.

8. Identity and residence proof of the applicants and sureties be verified by the court concerned before the bonds are accepted.

March 20, 2026

Asha

(Santosh Rai,J.)