



2026:AHC:57891

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 7762 of 2026

Vishal Alias Shobhit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhinav Trivedi, Adarsh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the applicant, Sri Sandeep Chaudhary, learned AGA for the State-respondents and perused the record.
2. This bail application has been moved on behalf of accused-applicant **Vishal Alias Shobhit** seeking enlargement on bail in Case Crime No.18 of 2026, under Sections 109(1), 191(2), 351(3) and 352 B.N.S., P.S. Sajeti, District Kanpur Nagar.
3. Tersely, accused applicant along with four other accused persons have caused the injured with hard and blunt object.
4. Learned counsel for the applicant submits that accused applicant has not committed any offence as alleged in the F.I.R. and he has been falsely implicated in this case due to ulterior motive. No specific and separate role has been assigned to the applicant either in the F.I.R. or in the statement of the injured. The injured has not sustained any fracture etc. on the vital part of the body. In the medical report seven injuries are said to be caused and most of them are contusions and abrasions. It is argued that co-accused Sanni alias Ankesh has already been enlarged on bail by this Court vide order dated 27.02.2026 passed in Criminal Misc. Bail Application No.7629 of 2026. It is further argued that applicant has criminal history of one case which has been explained in paras-19 of the bail application. The applicant is in jail since 19.01.2026. 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 applicant by contending that the innocence of the applicant cannot be adjudged at pre trial stage, therefore, he does not deserve any indulgence. In case the applicant is released on bail he will again indulge in similar activities and will misuse the liberty of bail.

6. Having considered the facts that though accused applicant is named in the F.I.R. but no specific and separate role has been assigned to the applicant either in the F.I.R. or in the statement of the injured, general role has been assigned to all the accused persons, co-accused Sanni alias Ankesh having similar role has already been enlarged on bail, learned A.G.A. admits the fact that applicant has one criminal which has been duly explained 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 applicant involved in the aforesaid crime be released on bail on his 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 applicant shall not tamper with the evidence or threaten the witnesses.
- (ii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in Court.
- (iii) The applicant shall remain present before the trial court on each date fixed, either personally or as directed by the court concerned.
- (iv) The applicant 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 him.
- (v) In case the applicant misuse the liberty of bail during trial and in order to secure his presence, the trial court shall initiate proceedings against him 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 applicant and sureties be verified by the court concerned before the bonds are accepted.

March 20, 2026

Asha

(Santosh Rai,J.)