



2026:AHC:58488

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 7833 of 2026

Prithviraj @ Bobby And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sucheta Pathak, Sudeep Kumar Pathak
Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State-respondent and perused the record.

2. This bail application has been moved on behalf of accused-applicants, **Prithviraj @ Body and Vikram Rajpoot** seeking enlargement on bail in Case Crime No.136 of 2025, under Sections 191(2), 191(3), 352, 109(1) and 117(2) of BNS, P.S.- Mohammdabad, District- Farrukhabad, during pendency of trial.

3. Tersely, as per allegation contained in the FIR, the accused-applicants Prithviraj @ Body and Vikram Rajpoot and other five co-accused persons have caused injury to the injured person with hard and blunt object.

4. Learned counsel for the applicants submits that though the accused-applicants are named in the FIR alongwith 5 other named co-accused persons but either in the FIR or in the statement of the injured, namely, Saksham Rajpoot and Shivom Rajpoot, no specific and distinct role has been clearly assigned to the accused-applicants regarding causing injury with hard and blunt object. He further submits that co-accused persons, namely, Hari Dutt @ Golu and Dinesh Rajpoot having a similar role have already been enlarged on bail by this Court as well as Co-ordinate Bench of this Court vide orders dated 26.09.2025 and 31.10.2025, passed in Criminal Misc. Bail Application No.26853 of 2025 (Hari Dutt @ Golu vs. State of U.P.) and Criminal Misc. Bail Application No.38002 of 2025 (Dinesh Rajpoot vs. State of U.P.). Furthermore, the accused-applicants

have no criminal history and they are in jail since 31.01.2026. Furthermore, as per submission of learned AGA, chargesheet has already been filed in this case on 24.02.2026. 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 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 that though the accused-applicants are named in the FIR alongwith other co-accused persons but no specific and distinct role has been clearly assigned to the accused-applicants either in the FIR or in the statement of the injured, co-accused persons, namely, Hari Dutt @ Golu and Dinesh Rajpoot, having similar role, have already been enlarged on bail, as per submission of learned AGA, chargesheet has already been filed in this case on 24.02.2026 and, thus, there is no reasonable possibility of intimidating and pressurizing the prosecution witnesses, applicants are in jail since 31.01.2026 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 their 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.

(Santosh Rai,J.)

March 20, 2026

K.N.