



2026:AHC:15112

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44336 of 2025

Arpit Shakya

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ajay Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Ajay Kumar Srivastava, learned counsel for the applicant, Shri Punit Kumar Singh, learned AGA for the State-respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Arpit Shakya, seeking enlargement on bail in Case Crime No. 0313 of 2025, under Sections 109 (1), 303 (2), 317 (2) of the Bharatiya Nyaya Sanhita, 2023 and Section 3/25/27 of Arms Act, Police Station Kamalganj, District Farrukhabad, during the pendency of the trial before the Court below.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 28.9.2025. Learned counsel for the applicant submits that it is a police party firing with no injury case. He has 14 cases of criminal antecedent, which have sufficiently been explained 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.

Learned counsel for the applicant has placed reliance upon a decisions of Apex Court passed in the case of ***Prabhakar Tewari Vs. State of U.P. and another, 2020 (11) SCC 648***, and ***Abhimanue etc. versus State of Kerala***, reported in ***2025 INSC 1136*** wherein the Hon'ble Supreme Court has observed that pendency of several criminal cases against an accused may itself cannot be a basis for refusal of bail.

Learned AGA has vehemently opposed the prayer for bail.

Considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is ***allowed***.

Let the accused-applicant, **Arpit Shakya**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

(Ashutosh Srivastava,J.)

January 21, 2026
Ravi Prakash