



2026:AHC:17825

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 2610 of 2026

Irshad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajesh Kumar Mishra
Counsel for Opposite Party(s)	:	G.A., Purushottam Pandey

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State as well as learned counsel for the informant and perused the material brought on record.
2. Learned counsel for the informant while filing short counter affidavit on behalf of informant submits that the matter has been arrived at between the parties out of the court, and the victim and informant do not want to prosecute the applicant, which fact has been stated in paras-2 and 3 of the short counter which is being affidavit filed today. The said short counter affidavit filed on behalf of informant is taken on record.
3. Learned counsel for the applicant, thus, submits since the matter has been settled out of the court and the victim as well as informant do not want to prosecute the applicant further, therefore the applicant has made out a case of bail. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been mentioned. It has also been assured on behalf of the applicant that he is ready to cooperate with the process of law and shall faithfully make himself available before the court whenever required and is also ready to accept all the conditions which the Court may deem fit to impose upon him. He next submits that the applicant is in jail since 16.09.2025, with no criminal history.
4. Per contra, learned A.G.A. has opposed the prayer for bail of the applicant by contending that innocence of the applicant cannot be adjudged at pre trial stage, therefore, he does not deserve any indulgence, but he could not dispute that as per the averments made in short counter affidavit filed today the matter has been settled between the parties and the victim as well as informant do not want to prosecute the applicant further.

5. Considering the overall facts and circumstances, the nature of allegations, the gravity of offence and without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

6. Let the applicant-Irshad, be enlarged on bail in Case Crime No. 896 of 2025, under Sections 64(2)(M), 351(2) of B.N.S., Police Station- Bahedi, District- Bareilly, on executing a personal bond and furnishing two local sureties each in the like amount to the satisfaction of the court concerned with the following conditions:

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear on the date fixed by the trial court.
- iv) The applicant shall not commit any offence similar to the offence of which the applicant is accused, or suspected of the commission.
- v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

7. In case of default of any of the conditions enumerated above, the court concerned shall be at liberty to cancel the bail of applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

January 27, 2026

Mustaqeem.