



2026:AHC:55777

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1509 of 2026

Sunil Agrahari

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Swati Agrawal Srivastava
Counsel for Respondent(s)	:	G.A.

Court No. - 50

HON'BLE SHEKHAR KUMAR YADAV, J.

1. Heard learned counsel for the appellant and learned A.G.A. for the State and perused the record.
2. This criminal appeal has been filed by the learned counsel for the appellant under Section 14-A (2) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting aside the impugned order dated 16.01.2026 passed by Special Judge, SC/ST (P.A.) Act, Sant Kabir Nagar, arising out of Case Crime No. 741 of 2022, under Sections 147, 323, 504, 506, 452, 30.2 IPC and Section 3(1)(Da), 3(1)(Dha) of SC/ST Act, P.S. Dhanghata, District Sant Kabir Nagar.
3. Learned counsel for the applicant has argued that the applicant and co-accused Ranjeet were exonerated by the Investigating Officer, and the final report (charge-sheet) was submitted against four accused persons only, who have been enlarged on bail. The applicant has subsequently been summoned by the trial court by invoking the powers under Section 319 Cr.P.C. He has nothing to do with the said offence. The applicant has no criminal history and is in jail since 15.12.2025 and has no criminal history. He undertakes to co-operate with the trial and not misuse the liberty of bail. It is further submitted that the essential ingredients to constitute offences under the SC/ST Act are also missing. It is further submitted that co accused Ranjeet has been granted bail vide order dated 26.02.2026 passed in Criminal Misc Bail Application No. 8976 of 2026. It is further submitted that there are 35 prosecution witnesses and out of which only two prosecution witnesses have been examined till date and

there is no likelihood of trial being concluded in near future.

4. On the other hand, learned AGA has opposed the prayer for bail, but could not dispute the said fact.

5. I have considered the rival submissions made by the learned counsel for the parties and have gone through the entire record including the impugned order carefully.

6. Having regard to the facts and circumstances of the case and keeping in view the nature of the offence, evidence, complicity of the accused, severity of punishment, the Court is of the opinion that the appellant has made out a case for bail.

7. Accordingly, the appeal is allowed and the impugned order rejecting the bail application of the appellant is set-aside.

8. Let the appellant Sunil Agrahari, involved in the aforesaid case crime number be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The appellant will cooperate with the prosecution during trial.

(ii) The appellant will not tamper with the evidence during trial.

(iii) The appellant will not pressurize/intimidate the prosecution witness(es).

(iv) The appellant shall not commit an offence.

(v) The appellant 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 him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(vi) The appellant shall remain present before the trial court on each date fixed, either personally or through counsel.

(vii) The appellant will not seek any adjournment on the dates fixed for evidence when the witnesses are present in court.

(viii) The appellant shall remain present, in person, before the trial court on the dates fixed for recording of statement under Section 313 Cr.P.C.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before the competent Court.

10. As this order relates to enlargement of the appellant on bail, it is clarified that observations made in this order shall have no bearing on the merits of the case and the trial court shall not be influenced by any observation made in this order.

(Shekhar Kumar Yadav,J.)

March 18, 2026

RavindraKSingh