



2026:AHC:56728

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1869 of 2026

Neeraj Goel

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Amit Kumar Srivastava
Counsel for Respondent(s)	:	G.A.

Court No. - 50

HON'BLE SHEKHAR KUMAR YADAV, J.

1.Sri Mohd. Fateh, Advocate has filed vakalatnama on behalf of the opposite party no. 2 is taken on record.

2. Heard learned counsel for the appellant, learned counsel for the opposite party no. 2 as well as learned A.G.A. for the State and perused the record.

3. 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 14.1.2026 passed by Special Judge, SC/ST (P.A.) Act, Bareilly in IVth bail application no. 3564 of 2024 and to release him in Case Crime No. 197 of 2024, under Sections 103 (2), 61 (2), 3 (5), 191 (3), 191 (2), 238 B.N.S. and Section 3(2)(V) of SC/ST Act, Police Station- Qila, District Bareilly.

4. Learned counsel for the appellant submits that the appellant-applicant has been falsely implicated in the present case. The appellant has not committed the alleged offence. The appellant has no concern with the alleged incident. False allegation has been made against the appellant. There is no cogent evidence against the appellant. The FIR of the alleged incident has been lodged on 15.7.2024 with the delay of two days showing the incident of 13.7.2024. There is no satisfactory explanation of this delay in lodging the present FIR. There is no direct or indirect evidence against the appellant. As per the CCTV footage the appellant has

not been seen to commit marpeet with the deceased rather the persons figured in CCTV Footage were co-accused Vipin, Natin and Rihan. The Statement of the Pramod Yadav has been recorded as P.W. 2 in which he has not supported the prosecution version and has been declared hostile. It has further been submitted by the learned counsel for the appellant that there is 26 witnesses in the charge sheet and out of them only two witnesses have been examined till date. There is no possibility to early disposal of the trial. The appellant is in jail since 19.7.2024.

5. On the other hand, learned AGA as well as learned counsel for the informant have opposed the prayer for bail.

6. 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.

7. 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.

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

9. Let the appellant **Neeraj Goel**, 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.

10. 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.

(Shekhar Kumar Yadav,J.)

March 19, 2026

A.