



2026:AHC:59264

## HIGH COURT OF JUDICATURE AT ALLAHABAD

### CRIMINAL APPEAL No. - 2032 of 2026

Shahjad Khan

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

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|---------------------------|---|-----------------------|
| Counsel for Appellant(s)  | : | Sanjay Kumar Tripathi |
| Counsel for Respondent(s) | : | G.A.                  |

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**Court No. - 50**

**HON'BLE SHEKHAR KUMAR YADAV, J.**

1. Heard learned counsel for the appellant and learned AGA for the State as well as perused the record. Learned A.G.A. pointed out that the notice has been served upon the opposite party no.2.

2. The present criminal appeal under Section 14-A(2) Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has been filed by the appellant to set aside the order dated 27.6. 2025 passed in Bail Application No. 2089 of 2026, arising out of Case Crime no. 252 of 2024, under Section 302, 34 IPC and section 3(2)V of S.C./S.T. Act, P.S.- Jait, District-Mathura with a further prayer to release the appellant on bail in the aforesaid case.

3. Learned counsel for the appellant has submitted that the appellant is innocent and has been falsely implicated in the present case. There is no motive against the appellant and there is no direct evidence against the appellant. It has further been submitted that till date no any witnesses has been examined before the trial court. The appellant is in jail since 7.6.2024.

4. It is further contended that similarly placed co-accused persons, namely, Annu @ Arjun Thakur has already been granted bail by co-ordinate Bench of this Court vide order dated 29.10.2025 in Criminal Misc. Appeal No. 58 of 2025, therefore, the applicant is also entitled for bail on the ground of parity.

5. I have perused the bail order of the co-accused and find that the role assigned to the present appellant is almost similar to that of co-accused person, who has already been granted bail by this Court.

6. On the other hand, learned AGA has opposed the application for bail but could not dispute the submission raised by learned counsel for the appellant.

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, role assigned to the present appellant and the nature of injury, 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 hereby set-aside.

9. Let the appellant- **Shahjad Khan**, involved in 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 not tamper with the evidence during the trial.

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

(iii) The appellant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv) The appellant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(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.

10. In case of breach of any of the above conditions, the prosecution shall

be at liberty to move bail cancellation application before this Court.

**(Shekhar Kumar Yadav,J.)**

**March 23, 2026**  
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