



2026:AHC:56744

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 8403 of 2026

Rajendra Urf Chatu And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Alauddin, Fakhruddin
Counsel for Opposite Party(s)	:	G.A., Surendra Mohan Mishra

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Alauddin, learned counsel for the applicants, Sri Narendra Singh, Advocate, holding brief of Sri Surendra Mohan Mishra, learned counsel for the first informant and Sri Anurag Pandey, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicants on bail in Case Crime No. 02 of 2026, under Sections- 191(1), 191(2), 190, 115(2), 117(2), 109(1), 352, 324(2), 131 of B.N.S., Police Station- Mohana, District- Siddharth Nagar, during the pendency of the trial.

3. Contention of the learned counsel for the applicants is that it is a cross-case for the incident in which both parties have received injuries, and both parties have lodged FIRs against each other for the same incident, with general allegations made against all the accused persons. Therefore, at this stage, it cannot be ascertained that which party was the aggressor. It is further submitted that co-accused Bholu, Patelu and Suraj, have already been released on bail by a coordinate Bench of this Court in Criminal Misc. Bail Application No. 5977 of 2026 vide order dated 25.02.2026. Therefore, the applicants are also entitled to be released on bail on the ground of parity. It is further submitted that the applicants have no criminal history. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicants are law abiding citizens and they are languishing in jail since 08.02.2026. In case, they are granted bail, they will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Learned counsel for the first informant and learned A.G.A. have

vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** and without expressing any opinion on the merits of the case, I am of the opinion that the applicants are entitled to be enlarged on bail.

6. Let the applicants-**Rajendra urf Chatu and Ram Karan**, involved in the aforementioned crime be released on bail, on their furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. The applicants 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- ii. The applicants shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicants shall not indulge in any criminal activity or commission of any crime after being released on bail.
- iv. The applicants shall attend in accordance with the conditions of the bond executed by them.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

8. Identity, status and residence proof of the applicants and sureties be verified by the court concerned before the bonds are accepted.

9. It is made clear that the applicants shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

10. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicants.

11. Office is directed to send a copy of this order to the applicants through concerned jail superintendent via e-mail or e-prison portal in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685** .

March 19, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)