



2026:AHC:63808

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6557 of 2026

Ramji Dubey @ Pandit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Devendra Kumar Misra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and perused the record.
2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 381 of 2025, under Sections 123, 105, 303(2), 317(4) B.N.S., Police Station- Kalyanpur, District- Kanpur Nagar during pendency of the trial.
3. Counsel for the applicant submits that the applicant was not named in the first information report has been falsely implicated in the present case. The incident is alleged to have occurred on 4.9.2025. The information regarding the death of the brother of the informant was sent to the concerned police station on 5.9.2025. The postmortem was conducted on 5.9.2025. The first information report was subsequently registered on 11.9.2025 under Section 309(4), 103(1) B.N.S. There is no eye witness to the alleged incident As per the postmortem report, cause of death could not be ascertained. Viscera was preserved and sent for chemical analysis. Viscera report is not part of the case diary. During investigation Sections 309(4) and 103(1) B.N.S. were deleted and Section 123, 105, 302(2), 317(4) B.N.S., were added. On the basis of information, furnished by an informer, the

applicant was arrested. False recovery of a Redmi Note-13 mobile phone has been shown from the applicant. The said mobile phone cannot be linked with the alleged offence. The applicant has not been identified on the basis of C.C.T.V. footage. At this stage, there is no corroborative evidence to link the applicant with the offence. The criminal history of the applicant has been explained in para six of the bail application. The applicant is in jail since 13.9.2025. In case he is enlarged on bail, he will not misuse the said liberty.

4. Learned A.G.A. for the State opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the first information report was lodged belatedly. The applicant was not named in the first information report. There is no eye witness to the alleged incident. On the basis of information, furnished by an informer, the applicant was arrested. As per the postmortem report, cause of death could not be ascertained. Viscera was preserved and sent for chemical analysis. Viscera report is not part of the case diary. The applicant has not been identified on the basis of C.C.T.V. footage. At this stage, there is no corroborative evidence to link the applicant with the offence. Further, the applicant has presently remained confined for more than six months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant, **Ramji Dubey @ Pandit** involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

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

March 26, 2026
S.S.

(Vivek Varma,J.)