



2026:AHC:61135

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 7255 of 2026

Gulzar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Amir Khan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 90

HON'BLE RAJ BEER SINGH, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present second bail application has been filed on behalf of the applicant in S.T. No. 267 of 2018, arising out of Case Crime No. 1026 of 2017, under Sections 302, 394 IPC, P.S. Sector 20 Noida, District Gautam Budh Nagar with the prayer to enlarge the applicant on bail. The first bail application of applicant was rejected by this Court on merits vide order dated 05.03.2024.
3. It has been argued by learned counsel for the applicant-accused that the applicant-accused is innocent and he has been falsely implicated in this case. It was alleged in the first information report that on 16.09.2017 near East End Apartment, Noida, some unknown persons have committed murder of father of informant and an amount of Rs.7,00,000/- was robbed from the deceased. Applicant is not named in the first information report. Learned counsel submitted that involvement of the applicant has been shown on the basis of statement of co-accused Imran. There is no eye witness of alleged incident. No recovery of any incriminating article has been made from the applicant.

4. It is further submitted that the first bail application of applicant was rejected by this Court vide order dated 05.03.2024 and since then a period of more than two years have passed but the trial has not been concluded so far. It was pointed out that while rejecting the first and second bail applications of co-accused Imran @ Haiza this Court has directed to expedite the trial but despite that the trial could not be expedited. Similarly placed co-accused Imran @ Haiza has already been granted bail by this Court. Criminal history of five cases shown against the applicant has been explained. Applicant is languishing in jail since 03.10.2020 and thus, he has already undergone the detention of about five and a half years. Lastly, it was submitted that in case applicant is enlarged on bail, he will not misuse the liberty of bail.

5. Learned A.G.A. has opposed the application and argued that the first bail application of applicant has already been rejected by this Court on merits and that no new ground for entertaining this second bail application is made out.

6. Considering the submissions of learned counsel for the parties and all attending facts and circumstances of the case, particularly the fact that applicant has already undergone the detention of about five and a half years and co-accused Imran @ Haiza has already been granted bail, without expressing any opinion on the merits, a case for bail is made out. Hence, the present second bail application is hereby allowed.

7. Let the applicant **Gulzar** involved in the aforesaid crime be released on bail on furnishing a personal bond and two local sureties each of the like amount to the satisfaction of court concerned subject to the following conditions:

i. The applicant shall not tamper with the evidence during trial.

ii. The applicant shall not pressurize/intimidate the prosecution witnesses.

iii. The applicant shall appear before the trial court on the date fixed, unless personal presence is exempted.

iv. The applicant shall not try to contact, threat or otherwise influence the informant or any of the witness of the case.

8. In case of breach of any of the above condition, the trial court shall be at liberty to cancel the bail of applicant in accordance with law.

March 24, 2026
Anand

(Raj Beer Singh,J.)