



2026:AHC:18532

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41148 of 2025

Bajrul

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ravi Shankar Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri Arimardan Yadav, learned AGA for the State-Respondent and perused the record.

The present bail application has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 502 of 2024, under Sections 131(8), 3(5), 109 of the Bharatiya Nyaya Sanhita, 2023, and Sections 3/25/27 of Arms Act, Police Station Anwala, District Bareilly,.

Learned counsel for the applicant argued that the accused-applicant is innocent and he has been falsely implicated in this case crime number. Learned counsel for the applicant further submits that the applicant is not named in the FIR and his name surfaced during the course of investigation in the confessional statement of the co-accused. He submits that the arrest of the applicant has been shown in a Police Encounter in fact the applicant has been arrested from his house. He submits that no incriminating material has been recovered from the possession of the applicant but the Police has shown the false recovery of one country made pistol from the possession of the applicant. He submits that there is no independent witness of the alleged incident. He submits that in the present case, charge-sheet has been filed on 13.12.2024 and the applicant is not required for any custodial interrogation. He submits that no specific role and motive has been assigned to the applicant in the present case. The applicant is languishing in jail since 30.09.2024. He submits that the applicant has criminal antecedent of 30 cases to his credit which has been explained in the supplementary affidavit. He submits that there is no likelihood of his fleeing from course of justice or

tampering with evidence in case of release on bail. Hence, the bail has been prayed for.

Learned AGA has vehemently opposed the prayer of bail, but could not dispute the above submissions raised by learned counsel for the applicant.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is **allowed**.

Let the accused-applicant, **Bajrul**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 28, 2026
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(Ashutosh Srivastava,J.)