



2026:AHC:12152

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 1423 of 2026

Jog Singh

.....Applicant(s)

Versus

State O.F. Up

.....Opposite
Party(s)

Counsel for Applicant(s) : Prateek Srivastava, Vivek Kumar
Mishra

Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vivek Kumar Mishra, learned counsel for the applicant and Sri Sanjay Singh, learned counsel for the informant as well as Sri Arun Kumar Mishra, learned A.G.A. for the State and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 28 of 2025, under Sections 115(2), 137(2), 103(1), 64, 87, 109, 3(5) of BNS, Sections 5J(ii)/6 of POCSO Act and Sections 4/25 of Arms Act, Police Station - Azeemnagar, District - Rampur, during the pendency of trial.**
4. As per prosecution story, on 10.02.2025, at about 03:00 A.M., the applicant and other co-accused persons are stated to have barged into the house of the informant and attempted to abduct the informant's niece, Reena, thereby causing injuries to Mahesh Pal, Om Prakash, and Rahul. Upon hearing the sound of a gunshot, the informant and other persons reached the spot, whereafter the injured persons were rushed to the hospital. Mahesh Pal was declared dead, while the other injured persons sustained grievous injuries.
5. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR. It is further submitted that the victim was in

a consensual relationship with the applicant, and both of them had solemnized a marriage secretly, although she continued to reside at her maternal home. At the time of recording of her statement u/s 183 of BNSS, the victim was carrying a pregnancy of about two months.

6. Learned counsel has further contended that although the injured witnesses have attributed the role of stabbing the deceased to the applicant, no gun-shot injury has been sustained by either the injured persons or the deceased, as such, the allegations regarding firing upon the injured and the deceased are false and concocted.

7. Learned counsel has further argued that the statements of the two injured witnesses stand falsified by the statement of the victim herself, who has categorically stated that the deceased was assaulted by Hari Singh, who happens to be the uncle of the applicant. The material inconsistencies and contradictions in the statements of the prosecution witnesses clearly indicate false implication of the applicant.

8. Learned counsel has next contended that the applicant is languishing in jail since 11.02.2025, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.

9. Per contra, learned AGA and learned counsel for the informant have vehemently opposed the bail application stating that the other co-accused persons were enlarged on bail on the specific ground that the present applicant is the main accused, as it is alleged that he had assaulted the deceased as well as the injured persons. It is further submitted that the victim is hand in glove with the applicant and has deliberately deposed in his favour, as she had secretly married him and, therefore, has attempted to shield the applicant.

10. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, nature of offence, severity of punishment and also considering the aforesaid inconsistency in the statements of injured persons and the victim, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

11. Let the applicant- **Jog Singh**, who is involved in aforementioned case crime be released on bail on his 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 applicant will not tamper with the evidence during trial.
- ii) The applicant will not pressurise/intimidate with the prosecution witnesses.
- iii) The applicant will appear before the trial court on the date fixed.

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

13. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

January 19, 2026
Siddhant