



2026:AHC:12036

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 1436 of 2026

Vishal @ Saurabh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Amit Kumar, learned counsel for the applicant and 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. 286 of 2025, under Sections 103(1), 61(2) of BNS, Police Station - Hapur Dehat, District - Hapur**, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR. He is not named in the FIR rather he is the transcriber of the FIR.
5. Learned counsel has also stated that subsequently the informant filed an application before the Investigating Officer alleging that the applicant had made an extra-judicial confession before him, stating that he had hatched a conspiracy and committed the murder of his father. It is argued that the said application is hit by Section 181 of the BNSS and cannot be taken into consideration.
6. Learned counsel has further stated that there is no other evidence against the applicant except the said extra-judicial confession, which has no evidentiary value in the eyes of law. The FIR is delayed by three days, as the father of the applicant was missing since 25.08.2025 and his dead body was found on 26.08.2025, as such, the FIR was instituted two days after the

recovery of the dead body.

7. Learned counsel has next contended that the applicant is languishing in jail since 30.08.2025, 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.

8. Per contra, learned AGA has vehemently opposed the bail application but unable to dispute the submissions raised by the learned counsel for the applicant and also the fact that the applicant has no criminal history.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, nature of offence, severity of punishment, delay in lodging the FIR and also considering the fact that the applicant is not named in the FIR and no cogent evidence has come up against him, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

10. Let the applicant- **Vishal @ Saurabh**, 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.

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

12. 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.

January 19, 2026
Siddhant

(Krishan Pahal,J.)