



2026:AHC:8891

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 15188 of 2025

Shilu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajesh Kumar Vishwakarma
Counsel for Opposite Party(s)	:	Deepak Dubey, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Rajesh Kumar Vishwakarma, learned counsel for applicant, Sri Deepak Dubey, learned counsel for the informant as well as Sri D.K. Singh, learned A.G.A. for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No. 605 of 2024, under Sections 103(1), 61(2), 3(5) BNS and 4/25 Arms Act, Police Station Dadari, District Gautam Buddh Nagar, with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the applicant is not named in the FIR. His name has come up subsequently, during the investigation. The CCTV footage is vague. Even the statement of Chowkidar Mahendra and Kunal does not inspire confidence. The patient Puneet is interested witness, as such, the applicant is entitled for bail. The applicant is in jail since 13.12.2024 and is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application on the ground that the applicant was seen alongwith the deceased by one inmate Puneet and two chowkidars, Mahendra and Kunal. In addition to it, there is CCTV footage, whereby the applicant and three other co-accused persons namely, Brijendra @ Kalle,

Lucky and Mohit Rawal were seen assaulting the deceased, as such, the applicant is not entitled for bail.

6. After hearing learned counsel for the parties and taking into consideration the statement of the inmate and the chowkidars, coupled by the fact that the CCTV footage shows the complicity of the applicant in the instant case, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

7. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of *Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220* and *Hussain and Another vs. Union of India; (2017) 5 SCC 702*, if there is no legal impediment.

8. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

January 13, 2026

Shalini