



2026:AHC:6890

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 16591 of 2025

Haseen

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	A.C.Srivastava, Pavan Kishore
Counsel for Opposite Party(s)	:	G.A., J.B. Singh

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri A.C.Srivastava, learned counsel for the applicant, Sri J.B. Singh, learned counsel for the informant and Sri D.K. Singh, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 352 of 2024, under Sections 137(2), 103(1), 238 B.N.S. and 4/25 Arms Act., Police Station Sardhana, District Meerut, during the pendency of trial.
4. As per prosecution story, the FIR was instituted by the informant stating that her 16 years old daughter has been enticed away by the applicant on 21.7.2024 at about 10.00 am, when she had gone to Subharti hospital.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about three days and there is no explanation of the said delay caused. Prior to the institution of the said FIR, the inquest proceedings of the deceased were conducted after the recovery of the dead body. The said proceedings were completed on 23.7.2024 at about 7.30 pm and the inquest report indicates the dead body to be of a lady aged about 30 years old and height about 5'2". The said dead body was found having maggots. Even the skin was peeling off and as such, the time of the death is at least one week ago as per the opinion of the

investigating officer conducting the inquest proceedings. The said dead body recovered on 23.7.2024 does not match with the story as narrated in the FIR. Subsequently, CCTV footage has been fetched in which the applicant is seen going with the deceased on 21.7.2024 at about 12.00 noon, as such, the daughter of the informant might have gone somewhere else. There is not even a whisper of a single word against the applicant in the said inquest report prepared one day before the institution of the FIR.

6. Learned counsel for the applicant has further argued that the trial is moving at a snail's pace as only two witnesses have been examined to date. There is no criminal history of the applicant. The applicant is languishing in jail since 25.7.2024 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application on the ground that there is nothing on record to suggest as to why the parents of the deceased would wrongly identify the deceased, who have declared the dead body to be of a girl aged about 16 years. This Court had called for the status of trial. As per the status report received from the trial court dated 2.12.2025, two witnesses have been examined. Learned counsel for the informant has stated that both the witnesses have deposed against the applicant.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the said material discrepancy in the recovery of the dead body and that as per the inquest report, there was no inkling against the applicant, and without expressing any opinion on the merits of the case, prima-facie the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

9. Let the applicant- **Haseen**, 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 shall not tamper with evidence during trial.

(ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.

(iii) The applicant shall appear before the trial court on the date fixed.

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

11. 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 12, 2026

Shalini