



2026:AHC:8400

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 736 of 2026

Kapil

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Akash Tomar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today by the learned counsel for the applicant is taken on record.
2. Heard Sri Pranshu Gupta, Advocate holding brief of Sri Akash Tomar, learned counsel for the applicant and Mohd. Nooruddin Khan, Advocate holding brief of Sri Syed Shahnawaj Shah, learned counsel for the informant as well as Sri R.P. Patel, learned State Law Officer and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 237 of 2025, under Sections 103(1), 61(2), 238 of BNS, Police Station - Mundali, District - Meerut**, 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 He is not named in the FIR. His name has come up in the confessional statement of co-accused Rahul, which has no evidentiary value in the eyes of law.
5. Learned counsel has also stated that criminal history assigned to the applicant stands explained in the affidavit. The applicant is languishing in jail since 19.11.2025. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.
6. Per contra, learned State Law Officer and learned counsel for the

informant have vehemently opposed the bail application but unable to dispute the submissions raised by the learned counsel for the applicant.

7. In the case of **Prabhakar Tewari Vs. State of U.P. and another, (2020) 11 SCC 648**, the Supreme Court has observed that pendency of several criminal cases against an accused by itself cannot be a basis for refusal of bail.

8. 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 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**.

9. Let the applicant- **Kapil**, 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.

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 13, 2026

Siddhant