



2026:AHC:42906

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 2446 of 2026

Salman

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ayyaz Khan, Rajrshi Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Office vide its report dated 24.02.2026 has reported that notice issued to the first informant of the case has been served personally, inspite of service of notice as well as revision of list, none appears either for the first informant or for the High Court Legal Services.
2. Heard learned counsel for the applicant, learned A.G.A for the State and perused the record.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. Learned counsel further submits that similarly situated co-accused namely, Arif has already been enlarged on bail by this Court vide order dated 16.02.2026 passed in Criminal Misc. Bail Application No.21568 of 2026, copy of which order has been produced before this Court and is taken on record. It is thus contended that the applicant is also entitled for bail on the ground of parity. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been mentioned. It has also been assured on behalf of the applicant that he is ready to cooperate with the process of law and shall faithfully make himself available before the court whenever required and is also ready to accept all the conditions which the Court may deem fit to impose upon him. He next submits that applicant is languishing in jail since 03.03.2025.

4. Learned AGA has vehemently opposed the bail application and submits that in case the applicant is released on bail he will misuse the liberty of bail, however, could not dispute the submissions of learned counsel for the applicant with regard to parity.

5. Considering the overall facts and circumstances, the nature of allegations, the gravity of offence and without expressing any opinion on merits, this Court finds it to be a fit case for bail. Accordingly, the bail application stands allowed.

6. Let the applicant **Salman** be released on bail in Case Crime No. 40 of 2025 under Section 137(2), 70(1), 123, 127(4), 299, 351(3), 124(1) of B.N.S. and 5/6 of POSCO Act and Section 3 (2)(va), 3(2)(v) of SC/ST Act, Police Station Bhagatpur, District Moradabad, on executing a personal bond and furnishing two local sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear on the date fixed by the trial court.
- iv) The applicant shall not commit an offence similar to the offence of which the applicant is accused, or suspected of the commission.
- v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

7. In case of breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

February 25, 2026

S.Ali