



2026:AHC:7511

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26450 of 2025

Avanish Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Hemant Kumar, Vivek Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Hemant Kumar, learned counsel for the applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.93 of 2025, under Sections 103(1), 61(2) B.N.S., Police Station Joni, District Meerut, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is not named in the FIR and has been falsely implicated in the present case. His name has come up for the first time in the statement of one Sachin who is stated to have seen the applicant and the deceased person and other co-accused persons engaged in drinking and subsequently the dead body was recovered, but the allegations are *per se* false.
5. Learned counsel for the applicant has further argued that the said witness has been roped in subsequently on 08.04.2025, which has no evidentiary value in the eyes of law. There is no criminal history of the applicant. The applicant is languishing in jail since 27.02.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Learned A.G.A. has vehemently opposed the bail application but the

submissions raised by the learned counsel for the applicant could not be disputed.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the said witness Sachin has been roped in subsequently on 08.04.2025, which has no evidentiary value, 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**.

8. Let the applicant- **Avanish Kumar**, 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.

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

10. 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
(Ravi Kant)