



2026:AHC:8770

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 28576 of 2025

Santosh Yadav Urf Jaipal Singh Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kumar Dhananjay, Shashi Kant Shukla
Counsel for Opposite Party(s) : Ashish Kumar Gupta, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Short counter affidavit filed by the counsel for the informant is taken on record.
2. Heard Sri Kumar Dhananjay, learned counsel for the applicant, Sri Ashish Kumar Gupta, learned counsel for the informant, Sri Abhishek Mishra, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime/F.I.R. No.36 of 2025, under Sections 103(1), 191(2), 191(3), 190, 115(2), 352, 333, 351(2), 109, 3(5), 61(2) B.N.S., Police Station Sikanderpur, District Ballia, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that similarly placed co-accused person Prabhu has already been enlarged on bail by Co-ordinate Bench of this Court vide order dated 09.09.2025 passed in Criminal Misc. Bail Application No.17403 of 2025, as such, since the role of the applicant is identical to that of co-accused, who has already been enlarged on bail, he is also entitled to be enlarged on bail on the ground of parity. There is no criminal history of the applicant. He is languishing in jail since 08.02.2025. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. The prayer for bail has been vehemently opposed by learned counsel for the informant and learned A.G.A. on the ground that there is recovery of a danda at the pointing out of the applicant, as such, the case of the applicant

stands distinguished.

6. Considering the facts and circumstances of the case and in light of the judgement passed by this Court in ***Nanha S/o Nabhan Kha vs. State of U.P., 1993 Crl.L.J. 938*** and the judgements passed by the Supreme Court in ***Paras Ram Vishnoi vs. The Director, Central Bureau of Investigation, MANU/SCOR/22410/2021*** and in ***Satender Kumar Antil vs. Central Bureau of Investigation and Another, (2022) 10 SCC 51***, the Court is of the view that the applicant has made out a case for bail. The bail application is ***allowed*** on the ground of parity.

7. Let the applicant- **Santosh Yadav Urf Jaipal Singh Yadav**, 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.

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

9. 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
(Ravi Kant)