



2026:AHC:8782

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39061 of 2025

Omveer @ Awadhesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sharda Sharma, Virendra Singh Yadav
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today is taken on record.
2. Heard Sri Virendra Singh Yadav, learned counsel for applicant, Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.913 of 2024, under Sections 140(1), 103(1), 238, 61(2), 3(5) B.N.S., Police Station Faridpur, District Bareilly with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the case of the applicant is at par with co-accused person Suraj who has been enlarged on bail by this Court vide order dated 28.10.2025 passed in Criminal Misc. Bail Application No.35592 of 2025, as such, he is also entitled for bail on the ground of parity. The applicant is in jail since 15.12.2024 and is ready to cooperate with trial. In case, he is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the case of the applicant is at a different footing as there is recovery of dead body at his pointing out, as such, he is not entitled for bail on the ground of parity.

6. After hearing learned counsel for the parties and taking into consideration the fact that there is recovery of dead body at the pointing out of the applicant, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, ***rejected***.

7. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

8. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

January 13, 2026
(Ravi Kant)