



2026:AHC:4724

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 43454 of 2025**

Balveer

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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|-------------------------------|---|----------------------|
| Counsel for Applicant(s)      | : | Nagendra Kumar Singh |
| Counsel for Opposite Party(s) | : | G.A.                 |

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**Court No. - 66**

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised.
2. Heard learned counsel for the applicant, Ms. Ifrah Islam, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 445 of 2025, under Sections 103(1) read with Section 3(5), 351(2) B.N.S., Police Station Civil Lines, District Budaun, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by more than one day and there is no explanation of the said delay caused.
5. Learned counsel for the applicant has further argued that the allegations are *per se* false. The eye-witness was present at the time of the inquest proceedings but he did not whisper a single word against the applicant, which was taken much prior to the institution of the FIR, as such, the FIR has been instituted as an afterthought. There is no criminal history of the applicant. The applicant is languishing in jail since 19.9.2025 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 State Law Officer has vehemently opposed the bail application on the ground that the sister of the informant has given the actual account of

the incident.

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 inordinate delay of more than one day in lodging of the FIR and there being no whisper of a single word against the applicant in the inquest proceedings 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- **Balveer** 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 8, 2026**

Shalini