



2026:AHC:5076

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44501 of 2025

Naimuddin And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pankaj Bharti
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Pankaj Bharti, learned counsel for the applicants and Sri Sunil Kumar, learned A.G.A. for the State and perused the record.
3. Applicants seek bail in Case Crime No. 111 of 2025, under Sections 55, 103(2), 61(2), 152, 196, 197, 299, 351(3), 353(2) of BNS, Section 13 of Unlawful Activities Prevention Act, Section 67 of Information Technology Act and Section 7 of Criminal Law Amendment Act, Police Station - Kakrauli, District - Muzaffar Nagar, during the pendency of trial.
4. It is submitted by learned counsel for the applicants that similarly placed co-accused person, Saleem has already been enlarged on bail by this Court vide order dated 4.12.2025 passed in Criminal Misc. Bail Application No. 41764 of 2025. Learned counsel has further submitted that since the case of the applicants is at par with the co-accused, who has already been enlarged on bail, they are also entitled to be enlarged on bail on the ground of parity. The applicants are languishing in jail since 23.7.2025, having no criminal history. In case, the applicants are released on bail, they will not misuse the liberty of bail and shall cooperate with trial.
5. The prayer for bail has been vehemently opposed by learned A.G.A. However, the aforesaid factual aspects of parity to the co-accused and of no criminal history of the applicants, have not been disputed by him.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, evidence on record, pending trial and in the 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 judgement passed by the Supreme Court in ***Paras Ram Vishnoi vs. The Director, Central Bureau of Investigation, MANU/SCOR/22410/2021*** coupled with the judgement of Supreme Court passed in ***Satender Kumar Antil vs. Central Bureau of Investigation and another*** reported in ***(2022) 10 SCC 51***, without expressing any opinion on the merits of the case, the Court is of the view that the applicants are entitled to be released on bail in this case. The bail application is **allowed** on the ground of parity.

7. Let the applicants- **Naimuddin** and **Faimuddin**, who are involved in aforementioned case crime be released on bail on their 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 applicants will not tamper with the evidence during trial.
- ii) The applicants will not pressurise/intimidate with the prosecution witnesses.
- iii) The applicants will 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 applicants 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

Siddhant