



2026:AHC:4241

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44780 of 2025

Mohar Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajay Kumar Sharma, Atul Sharma
Counsel for Opposite Party(s) : Anil Kumar, Damodar Singh, Devendra
Vikram Singh, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Atul Sharma, learned counsel for the applicant, Sri Devendra Vikram Singh, learned counsel for the informant, Sri Rajendra Prasad Singh, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.317 of 2025, under Sections 191(2), 191(3), 190, 115(2), 351(3), 352, 109(1), 103(1) B.N.S., 2023, Police Station Sadar Bazar, District Mathura, 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 role of exhortation has been assigned to the applicant and the role of causing gunshot injury to the deceased person has been assigned to co-accused Nanda, as such, the applicant is entitled for bail. The FIR itself is delayed by about 10 hours and there is no explanation of the said delay caused.
5. Learned counsel for the applicant has further argued that there is no criminal history of the applicant. The applicant is languishing in jail since 13.10.2025 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 counsel for the informant and learned State Law Officer have 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 applicant has been assigned the role of exhortation only, 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- **Mohar Singh**, 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
(Ravi Kant)