



2026:AHC:53691

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 9006 of 2026

Nikhil

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Chandra Bhushan Prasad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the applicant, Sri S.K. Chaudhary, learned AGA for the State-respondents and perused the record.
2. This bail application has been moved on behalf of accused-applicant Nikhil seeking enlargement on bail in Case Crime No.464 of 2025, under Sections 191(2), 191(3), 115(2), 352, 109(1), 3(5), 351(3) B.N.S., Police Station Kotwali Nagar, District Muzaffar Nagar.
3. Tersely, as per the allegation contained in the FIR four accused persons alongwith one unknown including the applicant have caused sharp weapon injury to three injured persons, namely Raja, Kartik, Priyanshu @ Shiva.
4. Learned counsel for the applicant submits that the accused-applicant has not committed any offence as alleged in the FIR and has been falsely implicated in this case. Applicant is languishing in jail since 14.12.2025. It is submitted that though applicant is named in the FIR but no specific and distinct role of applicant regarding causing sharp weapon injury in the injured persons has been assigned either in the FIR or in the statement of injured persons. It is further submitted that the injured persons in their statements recorded under Section 180 B.N.S.S. have assigned the role of causing sharp weapon injury to co-accused Sagar Pal, whereas the applicant has been assigned the role of catching hold the injured only. It is argued that as per the medical report available on record the injured persons have sustained incised wounds but the role of causing the aforesaid injury has been assigned to co-accused Sagar Pal. It is further argued that applicant has no criminal antecedents to his credit. Submission is that the conclusion of

trial will take sufficiently long and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

5. Per contra, learned AGA has opposed the prayer for bail of the applicant by contending that the innocence of the applicant cannot be adjudged at pre-trial stage, therefore, he does not deserve any indulgence. It is further submitted that, in case the applicant is released on bail, he may again indulge in similar activities and misuse the liberty of bail.

6. Having considered the submissions of the parties noted above as also the fact that though applicant is named in the FIR but no specific and distinct role of applicant regarding causing sharp weapon injury in the injured persons has been assigned either in the FIR or in the statement of injured persons, injured persons in their statements recorded under Section 180 B.N.S.S. have assigned the role of causing sharp weapon injury to co-accused Sagar Pal, whereas the applicant has been assigned the role of catching hold the injured only, as per the medical report available on record the injured persons have sustained incised wounds but the role of causing the aforesaid injury has been assigned to co-accused Sagar Pal, he has no criminal antecedents to his credit, charge-sheet has already been submitted on 20.2.2026, therefore, there is no reasonable possibility of intimidating or pressurizing the prosecution witnesses, keeping in view the uncertainty regarding conclusion of trial; larger mandate of the Article 21 of the Constitution of India, considering paragraph no.53 of Apex Court in case of **Manish Sisodia vs. Directorate of Enforcement 2024 (SC) LawSuit 677**, dictum of Apex Court in **Union of India vs. K.A. Najeeb (2021) 3 SCC 713** & **Satender Kumar Antil vs. Central Bureau of Investigation & Anr. (2022) 10 SCC 51** and without expressing any opinion on the merits of the case, let the applicant involved in the aforesaid crime be released on bail on his furnishing personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that:-

(i) The applicant shall not tamper with the evidence or threaten the witnesses.

(ii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in Court.

(iii) The applicant shall remain present before the trial court on each date fixed, either personally or as directed by the court concerned.

(iv) The applicant shall remain present in person before the Trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement of accused personally to explain circumstances appearing in the evidence against him.

(v) In case the applicant misuses the liberty of bail during trial and in order to secure his presence, the trial court shall initiate proceedings against him strictly, in accordance with law.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail by the trial court.

8. Identity and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

March 17, 2026
RA

(Santosh Rai,J.)