



2026:AHC:61916

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 10214 of 2026

Mangaldas Patel

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Vijay Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Vijay Singh, learned counsel for the applicant, Sri Manoj Kumar Pandey, learned counsel for the first informant (upon appearance filed today) and Sri Anurag Pandey, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.241 of 2025, under Sections-191(2), 191(3), 103(1), 3(5), 115(2), 351(2), 352, 109(1) BNS, Police Station-Sujanganj, District-Jaunpur, during the pendency of the trial.

3. The contention of learned counsel for the applicant is that, in the FIR, allegations have been made against three named persons and four unknown persons. As per the allegations in the FIR, all the accused persons, including the applicant, started beating the deceased over a dispute regarding possession of land. When other family members came to rescue the deceased, they were also beaten and sustained injuries. It is further submitted that, from a bare perusal of the post-mortem report of the deceased, it is clear that he received only a single injury on the head, and no specific role has been assigned to any of the accused persons in causing that injury. It is further submitted that all the injured sustained simple injuries, except Anurag, who also received an injury on a non-vital part. It is further submitted that co-accused Govind Patel and Sachin Patel, Prem Chand Patel and Sonu Patel, have already been released on bail by a coordinate Bench of this Court in Criminal Misc. Bail Application Nos.2611 of 2026 and 38712 of 2025 vide orders dated 27.01.2026 and 06.01.2026. Therefore, the applicant is also entitled to be released on bail on the ground of parity. It is further submitted that the applicant has explained the criminal history of one case in the

accompanying affidavit. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant is a law abiding citizen and he is languishing in jail since 03.09.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned counsel for the first informant and learned A.G.A. have vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- **Mangaldas Patel**, involved in the aforementioned 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, with the following conditions:-

i. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

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

8. Identity, status and residence proof of the applicant and sureties be

verified by the court concerned before the bonds are accepted.

9. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

10. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

11. Office is directed to send a copy of this order to the applicant through concerned Jail Superintendent via e-mail or e-prison portal in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685**.

March 25, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)