



2026:AHC:62999

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 10289 of 2026

Rakesh Yadav And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Prem Chand Saroj
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Prem Chand Saroj, learned counsel for the applicants, Sri Sunil Kumar Singh, learned counsel for the first informant (upon appearance filed today) and Sri Roshan Kumar Singh, 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 applicants on bail in Case Crime No.156 of 2025, under Sections-103(1), 191(2), 191(3), 118(1), 333, 110, 115(2), 352, 351 (2) of BNS, Police Station-Singramau, District-Jaunpur, during the pendency of the trial.

3. Contention of learned counsel for the applicants is that in the FIR, general allegation has been made against eight accused persons including the applicants. Subsequently, the first informant in his second statement as well as injured Sheela Devi clearly stated that it is Shudanshu, who on exhortation of Virendra has attacked upon Kevla Devi which resulted in her death and on pointing out of Sudhanshu, *danda* was also recovered. It is further submitted that specific allegation for causing deadly injury has been assigned to Sudhanshu and the role against the applicants is that they along with other accused had also beaten other injured. The injury report of Sheela Devi as well as Parasnath shows that they have received simple injury except one grievous injury to Parasnath and no specific role has been assigned to cause that injury to any of the accused persons including the applicants and they have been falsely

implicated. It is further submitted that the applicants have 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 applicants are law abiding citizen and they are languishing in jail since 24.12.2025. In case, they are granted bail, they will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. 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 applicants are entitled to be enlarged on bail.

6. Let the applicants- **Rakesh Yadav and Sanjay Yadav**, involved in the aforementioned 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, with the following conditions:-

- i. The applicants 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- ii. The applicants shall cooperate in the trial/investigation sincerely without seeking any adjournment.

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

iv. The applicants shall attend in accordance with the conditions of the bond executed by them.

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 applicants and sureties be verified by the court concerned before the bonds are accepted.

9. It is made clear that the applicants 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 applicants.

11. Office is directed to send a copy of this order to the applicants 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 26, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)