



2026:AHC:60773

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2358 of 2026

Afsaroon And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shams Uz Zaman
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Mr. Imran, Advocate, holding brief of Mr. Shams Uz Zaman, learned counsel for the applicants, Sri O.P. Singh, learned A.G.A. for the State-respondents and perused the record.

2. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicants- Afsaroon and Sonu, with a prayer to release him on bail in Case Crime No. 186 of 2025, under Sections 303(2), 317(2) B.N.S. and 136 Electricity Act, registered at Police Station Purkaji, District Muzaffar Nagar, during pendency of the trial.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It has further been contended that the first information report has been lodged against unknown and applicants have been implicated in this case on their confessional statement recorded by the police in some other case. It is further submitted that the applicants have cooperated during investigation. The applicants, who are languishing in jail since 5.11.2025, undertake that they will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

4. Per contra learned A.G.A. has opposed the prayer for bail of the applicants.

5. The first information report has been lodged against unknown and applicants have been implicated in this case on their confessional statement recorded by the police in some other case. As per F.I.R. five quantal of electric wire was recovered from some unidentified person.

6. Upon considering the totality of facts, nature and the evidence reflected from record and also taking into consideration the provision of Section 19(4) of the Act and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

7. In the event of arrest of the applicants-**Afsaroon and Sonu** involved in the aforesaid case crime shall be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned :-

(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 not pressurize/intimidate the prosecution witnesses.

(iii) The applicants 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 under Section 351 of B.N.S.S.

(iv) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicants shall remain present before the trial court on each date fixed, either personally or through his counsel.

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

9. It is clarified that anything said in this order is limited to the purpose of

determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Jitendra Kumar Sinha,J.)

March 23, 2026

Kumar Manish