



2026:AHC:5049

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 202 of 2026

Satish And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjive Kumar Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Sanjive Kumar Gupta, learned counsel for the applicants and Sri Arun Kumar Mishra, learned A.G.A. for the State and also perused the material placed on record.
3. Applicants seek bail in Case Crime No. 290 of 2025, under Section 103(1) of BNS, Police Station - Gunnaur, District - Sambhal, during the pendency of trial.
4. As per prosecution story, the applicants and one co-accused person are stated to have caused murder of the informant's father on 28.08.2025 at about 08:00 AM.
5. Learned counsel for the applicants has argued that the applicants have been falsely implicated in the present case. They have nothing to do with the said offence as alleged in the FIR. The FIR is delayed by more than two days and there is no explanation of the said delay caused.
6. Learned counsel has also stated that the applicant no. 2 along with one Dharamveer has also sustained injuries in the said incident and there is no explanation of the said injury sustained. The FIR was instituted by applicant's mother by invoking powers u/s 175(3) of BNSS, as such, the applicants are entitled for bail.
7. Learned counsel has next contended that there is a cross-version to the

instant case, as such, at this point of time, it cannot be ascertained as to which party was the aggressor. There is no criminal history of the applicants. The applicants are languishing in jail since 4.9.2025 and they are ready to cooperate with trial. In case, the applicants are released on bail, they will not misuse the liberty of bail.

8. Per contra, learned AGA has vehemently opposed the bail application on the ground that the co-accused Dharamveer is the main accused person as he had assaulted the deceased with *farsa*.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, delay in lodging the FIR and also considering the fact that there being a cross-version to the instant case coupled by the fact that specific role of assault with *farsa* has been assigned to co-accused Dharamveer, I find it a fit case to release the applicants on bail. The bail application is **allowed**.

10. Let the applicants- **Satish and Rajpal**, who are involved in aforementioned case 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 subject to following conditions. Further, before issuing the release order, the sureties be verified.

- i) The applicants will not tamper with the evidence during trial.
- ii) The applicants will not pressurise/intimidate with the prosecution witnesses.
- iii) The applicants will appear before the trial court on the date fixed.

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

12. It is made clear that observations made in granting bail to the applicants 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

Siddhant