



2026:AHC:7544

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 40032 of 2025

Rohit Yadav @ Rider @ Vivek Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajeet Kumar Singh

Counsel for Opposite Party(s) : Abhijeet Kumar Pandey, G.A., Indra
Kumar Chaubey

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Ajeet Kumar Singh, learned counsel for the applicant, Sri Indra Kumar Chaubey, learned counsel for the informant, Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.236 of 2024, under Sections 191(2), 191(3), 190, 103(1), 109, 115(2) B.N.S. and Section 4/25 Arms Act, Police Station Bansdih, District Ballia, during the pendency of trial.

4. It is submitted by learned counsel for the applicant that similarly placed co-accused persons, namely, Ankit Yadav, Om Prakash Yadav Alias Prakash Yadav, Jawahar Gond @ Laxman Gond and Dharmendra Yadav @ Bagi Yadav, have already been enlarged on bail by this Court vide order dated 05.12.2025 passed in Criminal Misc. Bail Application Nos.4389 of 2025, 1833 of 2025, 1953 of 2025 and 7596 of 2025, as such, since the role of the applicant is identical to that of co-accused, who have already been enlarged on bail, he is also entitled to be enlarged on bail on the ground of parity.

5. Learned counsel for the applicant has further submitted that the only difference with the co-accused persons who have been enlarged on bail is that there is recovery of a sharp edged weapon (dao) at the pointing out of the applicant. The co-accused persons have also been enlarged on bail on the same account, that the injuries are caused by a sharp edged weapon and

nowhere is it mentioned in the FIR that other weapons were also used. All the co-accused persons were assigned the role of having carried sharp edged weapons only. The criminal history assigned to the applicant stands explained. He is languishing in jail since 25.07.2024. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. The prayer for bail has been vehemently opposed by learned counsel for the informant and learned A.G.A. However, the aforesaid factual aspect of the parity to the co-accused has not been disputed by them.

7. The Supreme Court in ***Prabhakar Tewari vs. State of U.P. And Another, (2020) 11 SCC 648*** has observed that pendency of several criminal cases against an accused itself cannot be a basis for refusal of bail, if otherwise his case for bail is made out.

8. Considering the facts and circumstances of the case and in light of the judgement passed by this Court in ***Nanha S/o Nabhan Kha vs. State of U.P., 1993 Crl.L.J. 938*** and the judgements passed by the Supreme Court in ***Paras Ram Vishnoi vs. The Director, Central Bureau of Investigation, MANU/SCOR/22410/2021*** and in ***Satender Kumar Antil vs. Central Bureau of Investigation and Another, (2022) 10 SCC 51***, the Court is of the view that the applicant has made out a case for bail. The bail application is ***allowed*** on the ground of parity.

9. Let the applicant- **Rohit Yadav @ Rider @ Vivek Yadav**, who is involved in aforementioned case 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 subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall not tamper with evidence during trial.

(ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.

(iii) The applicant shall appear before the trial court on the date fixed.

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

11. It is made clear that observations made in granting bail to the applicant

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 12, 2026
(Ravi Kant)