



2026:AHC:5732

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 45018 of 2025

Gaurav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Abhay Kumar, Nagendra Kumar Singh,
Pushpendra Kumar
Counsel for Opposite Party(s) : Ajay Kumar Dwivedi, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Nagendra Kumar Singh, learned counsel for the applicant, Sri Ajay Kumar Dwivedi, learned counsel for the informant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.147 of 2025, under Section 103(1) B.N.S., 2023, Police Station Khandauli, District Agra, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is not named in the FIR and has been falsely implicated in the present case. His name has come up in the supplementary statement of the informant recorded subsequently. A weak type of motive has been assigned to the applicant. Subsequently, the statement of son of applicant has been garnered before whom the applicant is stated to have confessed the said offence. Even otherwise, there is no evidence against the applicant.
5. Learned counsel for the applicant has further argued that there is no criminal history of the applicant. The applicant is languishing in jail since 12.05.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application on the ground that the son of the applicant

himself has stated that the applicant made extra-judicial confession before him and there is recover of a fawada at the pointing out of the applicant, as such, he is not entitled for bail.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the name of the applicant has come up in the supplementary statement of the informant, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Gaurav**, 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.

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

10. 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 9, 2026
(Ravi Kant)