



2026:AHC:63776

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9395 of 2026

Kishanpal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Aushim Luthra, Harishchandra Yadav,
Surya Pratap Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Surya Pratap Singh, learned counsel for the applicant, Sri V.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 applicant Kishanpal, with a prayer to release him on bail in Case Crime No. 415 of 2025, under Sections 191(2), 191(3), 190, 109(1), 352, 351(3) of BNS, 2023 and Section 7 of Criminal Law Amendment Act, Police Station Junawai, District Sambhal, 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 is contended by the learned counsel for the applicant that applicant is not named in the FIR and his name has been surfaced in the confessional statement of arrested co-accused namely Sankit, Rajeev and Deepak and no specific role has been assigned to him. It is further submitted that some of the co-accused persons have already been granted bail by a Co-ordinate Bench of this Court. It is further submitted that applicant is languishing in jail since 08.01.2026 and he is having criminal history of one case, which has been explained in the memo of application. 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 applicant.

5. As per FIR 17 named and 14 unknown persons are said to have been made accused and it is alleged that two group of persons are fighting amongst each other by hard and blunt objects and they also opened fire on each other and as a result of which 12 persons are said to have received injuries. However, the applicant is not named in the FIR and his name has been surfaced in the confessional statement of arrested co-accused namely Sankit, Rajeev and Deepak and no specific role has been assigned to him. It is further submitted that some of the co-accused persons have already been granted bail by a Co-ordinate Bench of this Court. It is further submitted that applicant is languishing in jail since 08.01.2026 and he is having criminal history of one case, which has been explained in the memo of application.

6. Upon considering the totality of facts, nature and the evidence reflected from record 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 applicant- **Kishanpal** 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 applicant 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 him from disclosing such facts to the court or to any police officer or tamper with the evidence.

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

(iii) The applicant 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 applicant shall file an undertaking to the effect that he shall not

seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant 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.

March 26, 2026

Ashish/-

(Jitendra Kumar Sinha,J.)