



2026:AHC:63681

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9402 of 2026

Mohit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Virendra Singh Tomar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Virendra Singh Tomar, learned counsel for the applicant, Sri B.P. Maurya, 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 Mohit, with a prayer to release him on bail in Case Crime No. 223 of 2025, under Sections 310(2), 317(2) BNS and Section 3/25 of Arms 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 is contended by the learned counsel for the applicant that the name of the applicant has surfaced in the confessional statement of arrested co-accused namely Bharat, Kartik, Abhishek and Sahban and from their possession one stolen motorcycle is said to have been recovered. It is further submitted that applicant is languishing in jail since 09.12.2025 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. The name of the applicant has surfaced in the confessional statement of arrested co-accused namely Bharat, Kartik, Abhishek and Sahban and from their joint possession one stolen motorcycle is said to have been recovered. It is further submitted that applicant is languishing in jail since 09.12.2025 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- **Mohit** 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.)