



2026:AHC:5692

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 45121 of 2025

Abdul Samad @ Ballu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anil Kumar Jaiswal, Rajendra Pratap Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Anil Kumar Jaiswal, learned counsel for the applicant and Sri Sanjeev Singh, learned A.A.G. assisted by Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the record.
3. This bail application has been filed on behalf of the applicant seeking bail in **Case Crime No. 143 of 2024, under Section 103(1) of BNS and Sections 25/4 of Arms Act, Police Station- Kotwali, District - Meerut**, during the pendency of trial.
4. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the present case and has no concern whatsoever with the alleged offence as mentioned in the FIR. It is further submitted that the so-called eye-witnesses, namely, Mohd. Shoaib Qureshi and Lala, are not natural or true eye-witnesses, as they are stated to have reached the place of occurrence only after the incident had already taken place.
5. Learned counsel has further contended that the applicant is languishing in jail since 30.09.2024, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.
6. Per contra, learned A.A.G. assisted by learned A.G.A. has vehemently

opposed the bail application on the ground that there are two eye-witnesses, whose statements have not been annexed by the counsel for the applicant. The FIR has been instituted less than two hours of the incident, as such, the applicant is not entitled for bail.

7. Considering the facts and circumstances of the case, submissions advanced by learned counsel for the parties and taking into consideration the fact that the promptness of FIR, I do not find it a fit case to release the applicant on bail.

8. The bail application is, accordingly, **rejected**.

9. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, in view of the principle laid down in the recent judgements of the Supreme Court in the cases of **Vinod Kumar vs. State of Punjab 2015 (3) SCC 220** and **Hussain and Another vs. Union of India (2017) 5 SCC 702**, if there is no legal impediment.

10. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

January 9, 2026

Siddhant