



2026:AHC:4710

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41381 of 2025

Mohammad Rihan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Syed Shahnawaz Shah
Counsel for Opposite Party(s)	: G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri Arvind Kumar, learned AGA for the State-Respondent and perused the record.

This bail application has been moved on behalf of the accused-applicant seeking enlargement on bail in Case Crime No.336 of 2024, under Sections 191(2), 191(3), 190, 221, 132, 121(1), 121(2), 109(1), 125, 223(b) of the Bharatiya Nyaya Sanhita, 2023, and Section 7 of Criminal Law Amendment Act, Police Station Kotwali Sambhal, District Sambhal.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 24.11.2024. Learned counsel for the applicant submits that similarly circumstanced co-accused Mustafa hasan @ Raju, Mohd. Ali and Hasan have already been enlarged on bail by the Court vide orders dated 11.11.2025, 23.09.2025, 23.09.2025 passed in Criminal Misc. Bail Application Nos. 36833 of 2025, 32663 of 2025 and 32613 of 2025 respectively. He submits that the applicant has no criminal antecedent to his credit. He further submits that there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Per contra learned A.G.A. has opposed the prayer for bail of the applicant, but could not dispute the aforesaid fact. Considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but

without commenting on merit of case, a case for bail is made out. Accordingly, the bail application is **allowed**.

Let the accused-applicant, **Mohammad Rihan**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 7, 2026
pks

(Ashutosh Srivastava,J.)