



2026:AHC:7418

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 41951 of 2025

Rohit Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Gaurav Tiwari, Rahul Kumar Mishra
Counsel for Opposite Party(s)	:	G.A., Vinay Kumar

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Supplementary affidavit filed today is taken on record.

Heard learned counsel for the applicant, Smt. Anita Singh, brief holder for the State and Shri Vinay Kumar, learned counsel for the first informant.

This is a second bail application filed by the applicant. The first bail application filed by the present applicant was rejected by this Court vide order dated 26.05.2025, passed in Criminal Misc. Bail Application No. 10359 of 2025, Rohit Yadav vs. State of U.P., copy whereof has been brought on record as Annexure-1 to the bail application.

The applicant- Rohit Yadav, has filed this second bail application with a prayer to enlarge him on bail in Crime No. 357 of 2024, under Sections 109 (1), 3(5), 61 (2), of the BNS and Section 3/25 of Arms Act, Police Station-Tharavi, District-Prayagraj, during the pendency of the trial.

In support of this second bail application, learned counsel for the applicant has reiterated the entire submissions made in the first bail application, which are not necessary to mention herein again by this Court.

Apart from the above, learned counsel for the applicant submits that in the present case Charge sheet has been filed by the Investigating Officer against the applicant and charges have been framed against the applicant on 24.10.2025 and there is no need of further custodial interrogation of the applicant. He further submits that there are eight witnesses and there is no possibility of conclusion of trial in near future. Learned counsel for the applicant further submits that Criminal history of one case has been properly explained in paragraph no. 16 of the affidavit filed in support of bail application. After arguing at some length learned counsel for the applicant submits that the applicant is languishing in jail since last more than one year and therefore the applicant is liable to be enlarged on bail.

Learned AGA has vehemently opposed, but could not dispute the aforesaid facts.

Considering all those 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, **Rohit Yadav**, 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 12, 2026
Deepak/

(Ashutosh Srivastava,J.)