



2026:AHC:6409

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 24969 of 2025

Junaid

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Atul Kumar Shahi, Sunil Kumar Singh,
Surendra Bahadur Singh, Syed Ali
Shaukat (Abidi)
Counsel for Opposite Party(s) : G.A., Vivek Singh

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

List has been revised none has put in appearance on behalf of the first informant.

Heard learned counsel for the applicant and Shri Puneet Kumar Singh, learned A.G.A. for the State and perused the record.

The present bail application has been filed by the applicant **Junaid** with a prayer to enlarge him on bail in Case Crime No. 357 of 2025, under Sections 109 (1), 115 (2), 352, 351 (2) & 3/5 of BNS and Section 3/25/27 of Arms Act, Police Station-Lisarigate, District Meerut, during pendency of trial.

Learned counsel for the applicant submits that the accused applicant is innocent. He has been falsely implicated in the present case and is languishing in jail since 05.06.2025. Learned counsel for the applicant submits that a First Information Report was lodged, by the first informant on 05.06.2025 against three named persons including the applicant with the allegation that due to some dispute the applicant and other co-accused persons hurled abuses and thereafter the applicant has given fire arm shot upon the brother of the first informant namely Junaid, with an intention to kill him, which hits his waist and thereafter all the accused persons caught hold the first informant and the applicant has given fire arm shot which was missed. In the said incident the brother of the applicant namely Junaid sustained severe injuries. Learned counsel for the applicant submits that the injury was on non vital part. Learned counsel for the applicant submits that the real fact is that the injured is a history sheeter and on the date of incident, in the morning, some altercation occurred between the first informant and the applicant and in the evening some one assaulted the injured and the applicant has been falsely implicated in the present case. The recovery of country made pistol shown from the

applicant is planted one. After arguing at some length, learned counsel for the applicant submits that in the present case charge sheet has been filed on 05.08.2025 and there is no need of further custodial interrogation of the applicant. Criminal history of one case has been properly explained in paragraph no. 18 of the affidavit filed in support of bail application and 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 bail prayer of the applicant by contending that the innocence of the applicant cannot be adjudged at pre trial stage, therefore, he does not deserve any indulgence. In case, the applicant is released on bail, he will again indulge in similar activities and will misuse the liberty of bail.

Considering the nature of the offence, material/evidence brought on record, complicity of the accused, severity of punishment, the submissions made by the learned counsel for the parties, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

Let the applicant-**Junaid**, involved in aforesaid case crime be released on bail on his furnishing a personal bond and two local sureties each of 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.

(Ashutosh Srivastava,J.)

January 9, 2026

Deepak/