



2026:AHC-LKO:22186

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12379 of 2025

Abhinandan Singh

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Manoj Kumar Dubey, Vishram Kumar Chauhan

Counsel for Opposite Party(s) : G.A., Alok Kumar Mishra, Veer Bahadur Lal Srivasta

Court No. - 13

HON'BLE MANISH KUMAR, J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. By means of this application, the applicant, who is involved in Case Crime No. 249 of 2025, under sections 103 (1) and 61 (2) of the B.N.S., Police Station Gudamba District- Lucknow is seeking enlargement on bail during the trial.
3. Brief facts of the present case are that an FIR dated 24.06.2025 has been lodged under Section 103 (1) (old Section 302 of I.P.C.) and 61(old Section 120-B of IPC) of B.N.S. has been lodged against the six accused persons alleging therein that the husband of the informant was staying in tenanted accommodation and having relationship with accused no. 1. The accused no. 1 was having keys of tenanted accommodation and she had informed that the husband of the informant found dead. It is further alleged in the said FIR that prior to the date of incident, the named accused no. 6 had called and threatened that in case the husband of the informant does not improve, he has to lose his life and subsequently the family members of the accused no. 1 killed the husband of the informant.
4. Learned counsel for the applicant has submitted that the applicant is neither named in the FIR nor his name was taken in the statement of informant. The name of the applicant has cropped up for the first time in the statement of the daughter of the deceased i.e. Uma Shankar wherein she has stated that Shiva Singh and Sanjay Singh had taken loan from his father i.e. the deceased and they were not returning the same and they killed her father alongwith present applicant and the brother of the present applicant.

5. It is further submitted that the Police has filed the final report in favour of the six named accused persons and filed the charge-sheet against the applicant, Shiva Singh, Sanjay Singh and Kavinandan Singh, who were named later on by the daughter of the deceased.

6. It is further submitted that there is no eye-witness to the incident. The applicant has been falsely been implicated on the basis of statement of daughter of deceased.

7. It is further submitted that Shiva Singh @ Shivram Singh, one of the main accused, who had allegedly taken loan from the deceased as per the statement given by her daughter, has approached this Court by filing Criminal Misc. Bail Application No. 10236 of 2025 wherein this Court vide its order dated 30.10.2025 has granted bail. Copy of the same has been provided during the course of argument which is taken on record.

8. It is further submitted that the applicant is in jail since 27.06.2025. Applicant has no criminal history.

9. It is further submitted that the applicant has falsely been implicated in the present case and he would not misuse the liberty of bail.

10. On the other hand, learned AGA on the basis of counter affidavit has submitted that from the statement of the daughter of the deceased, the offence is made out against the present applicant but he has neither disputed that co-accused Shiva Singh has been enlarged on bail by this Court nor disputed the other submissions made by learned counsel for the applicant.

11. Having heard learned counsel for the parties and perused the material available on record; considering the fact that initially the wife of the deceased lodged an FIR against six accused persons in which the applicant was not named; informant in her statement has made the statement by which the allegation made in the FIR was intact; against all the named accused persons in the FIR, final report has been filed; on the basis of the statement of the daughter of the deceased, totally a new and different case has been set up and the basis of which the charge-sheet has been filed against the four persons namely, Sanjay Singh, Shiva Singh, Abhinandan Singh (the present applicant) and Kavinandan Singh; the daughter of the deceased in her statement perhaps made allegations against the applicant and other accused persons on the basis of the fact that Shiva Singh and Sanjay Singh had taken loan from her father; thus, prima-facie, it is found that it is a fit case in which the applicant may be enlarged on bail.

12. Accordingly, the instant bail application is *allowed*.

13. Let the applicant ***Abhinandan Singh*** be released on bail in the aforesaid case crime number on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

- (i) The applicant will cooperate with the prosecution during trial.
- (ii) The applicant will not tamper with the evidence during trial.
- (iii) The applicant will not pressurize/intimidate the prosecution witness(es).
- (iv) The applicant shall not commit an offence.
- (v) 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.
- (vi) The applicant shall remain present before the trial court on each date fixed, either personally or through counsel.
- (vii) The applicant will not seek any adjournment on the dates fixed for evidence when the witnesses are present in court.
- (viii) The applicant shall remain present, in person, before the trial court on the dates fixed for recording of statement under Section 313 Cr.P.C.

14. In case of default of above conditions it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

15. As this order relates to enlargement of the applicant on bail, it is clarified that observations made in this order shall have no bearing on the merits of the case and the trial court shall not be influenced by any observations made in this order.

(Manish Kumar,J.)

March 30, 2026

Ashish