



2026:AHC-LKO:21084

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 2099 of 2026

Vijay Yadav

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s) : Prateek Tewari, Saniya Ansari, Tiwari
Shivani Subhash
Counsel for Opposite Party(s) : G.A.

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.679/2025, Under Sections 309(6), 103(1), 238, 3(5) BNS (old sections 394, 302, 201 and 34 IPC and Section 3/25 Arms Act) , Police Station - Chinhat, District - Lucknow is seeking enlargement on bail during the trial.
3. The F.I.R. dated 25.11.2025 has been lodged as per recovery memo wherein on the basis of the statements alleged to be given by the accused persons including the applicant that they had hired Ola Cab on 20.08.2025 to visit Chinhat Dam, on the way they had decided for looting the vehicle from the driver and when he resisted, Arvind and Vijay had exhorted Saurabh Yadav @ Sher Singh @ Shera to kill the driver and he took out 32 bore country made pistol and shot dead the driver.
4. Learned counsel for the applicant has submitted that this Court has already granted bail to co-accused Arvind Singh @ Kallu by order dated 27.01.2026 passed in Criminal Misc. Bail Application No.12043 of 2025, copy of bail order has been enclosed alongwith the bail application.
5. He has further submitted that the role of co-accused Arvind Singh @ Kallu is identical to the role assigned to the present applicant for exhorting

the Saurabh Yadav @ Shera, except that no role has been assigned, therefore, the applicant may be entitled for party of bail granted to Arvind Singh @ Kallu by this Court.

6. Learned A.G.A. has vehemently opposed the bail prayer but unable to dispute that the co-accused person having the same / identical allegation has already been granted bail by this Court.

7. Having heard learned counsel for the parties and having perused the material available on record; considering the fact that the other co-accused having the similar allegation has already been granted bail, thus, prima-facie, it is found that it is a fit case in which the applicant may be enlarged on bail.

8. Accordingly, the present bail application is ***allowed***.

9. Let the applicant **Vijay Yadav** be released on bail in the aforesaid case crime number on 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.

10. 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.

11. 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 24, 2026

S. Kumar