



2026:AHC:55530

## HIGH COURT OF JUDICATURE AT ALLAHABAD

### CRIMINAL MISC. BAIL APPLICATION No. - 34 of 2026

Sanjay @ Sanjeev @ Sanju

.....Applicant(s)

Versus

State Of U.P. Through Prin. Sec.Home Govt. Of  
U.P.

.....Opposite  
Party(s)

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| Counsel for Applicant(s)      | : | Archana Singh |
| Counsel for Opposite Party(s) | : | G.A.          |

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**Court No. - 70**

**HON'BLE SANTOSH RAI, J.**

1. Learned counsel for the applicant submits that she has no intention to file rejoinder affidavit to the counter affidavit filed on behalf of the State and ready to argue the case.
2. Heard Ms. Archana Singh, learned panel lawyer for the applicant, Shri Shyam Narayan Rai, learned AGA for the State-respondent and perused the record.
3. This bail application has been moved on behalf of the accused-applicant, **Sanjay @ Sanjeev @ Sanju** seeking enlargement on bail in Case Crime No.856 of 2023 under Sections 307, 504, 506 and 120B IPC, P.S.- Kasganj, District- Kasganj, during pendency of trial.
4. Tersely, as per allegation contained in the FIR, the accused-applicant and co-accused Mukesh have caused injury to the injured Premchandra with sharp weapon (knife) and sickle (hasiya).
5. Learned counsel for the applicant submits that he has not committed any offence as alleged in the FIR. He further submits that either in the FIR or in the statement of the injured Premchandra, no specific and distinct role has been clearly assigned to the accused-applicant but specific role of Mukesh has been assigned regarding causing injury with sharp weapon (knife) in the abdomen of the injured Premchandra. The accused-applicant has been assigned the role of having sickle (hasiya) in his hand. Furthermore, the injured Premchandra has not specifically stated that the accused-applicant has caused sharp weapon injury with sickle (hasiya) on his vital part of the body. He further submits that co-accused,

namely, Mukesh @ Ramkishore, having similar role, has already been enlarged on bail by Co-ordinate Bench of this court vide order dated 12.04.2024 passed in Criminal Misc. Bail Application No.13178 of 2024. Furthermore, the accused-applicant has no criminal history and is in jail since 17.12.2023. Furthermore, as per submission of learned AGA, chargesheet has already been filed in this case. Submission is that the conclusion of trial will take sufficiently long 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.

6. Per contra, learned A.G.A. has opposed the prayer for bail 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.

7. Having considered the submissions that though the accused-applicant is named in the FIR alongwith co-accused Mukesh but either in the FIR or in the statement of the injured Premchandra, no specific and distinct role has been clearly assigned to the accused-applicant regarding causing injury. Only one lacerated wound/stab wound was noted in the medical evidence/injury report of the injured Premchandra prepared at AIIMS, New Delhi. Co-accused Mukesh @ Ramkishore, having similar role, has already been enlarged on bail. As per submission of learned AGA, chargesheet has already been filed in this case and, thus, there is no reasonable possibility of intimidating and pressurizing the prosecution witnesses. Accused-applicant has no criminal history and is in jail for more than two years and keeping in view the uncertainty regarding conclusion of trial; larger mandate of the Article 21 of the Constitution of India, considering paragraph no.53 of Apex Court in case of **Manish Sisodia vs. Directorate of Enforcement 2024 (SC) LawSuit 677**, dictum of Apex Court in **Union of India vs. K.A. Najeeb (2021) 3 SCC 713** & **Satender Kumar Antil vs. Central Bureau of Investigation & Anr. (2022) 10 SCC 51** and without expressing any opinion on the merits of the case, let the applicant involved in the aforesaid crime be released on bail on his furnishing personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that:-

(i) The applicant shall not tamper with the evidence or threaten the witnesses.

(ii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in Court.

(iii) The applicant shall remain present before the trial court on each date fixed, either personally or as directed by the court concerned.

(iv) The applicant shall remain present in person before the Trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement of accused personally to explain circumstances appearing in the evidence against him.

(v) In case the applicant misuses the liberty of bail during trial and in order to secure his presence, the trial court shall initiate proceedings against him strictly in accordance with law.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail by the trial court.

9. Identity and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

10. Office is directed to communicate a copy of this order to the trial court concerned by e-mail/FAX within 24 hours.

**(Santosh Rai,J.)**

**March 18, 2026**

Ankit.