



2026:AHC:54311

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2880 of 2026

Haripratap Singh @ Rinku

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ruchi Devi, Shiv Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard Shri Ganesh Shankar Srivastava, Advocate holding brief of Shri Shiv Kumar Singh and Ms. Ruchi Devi, Advocate, appearing for the applicant, learned AGA for the State-respondent and perused the record.

2. This bail application has been moved on behalf of accused-applicant **Haripratap Singh @ Rinku** seeking enlargement on bail in Case Crime No.583 of 2025, under Sections 109(1) and 3(5) B.N.S., P.S. Akraabad, District Aligarh.

3. Tersely, as per allegations contained in the F.I.R., rider of Swift New Model no.UP81 8089 has caused firearm injury to the injured Ajay Sharma.

4. Learned counsel for the applicant submits that the accused-applicant has not committed any offence as alleged in the FIR and has been falsely implicated in this case due to ulterior motive. No material is available on record to show that accused-applicant is present in the aforesaid vehicle and particularly he caused firearm injury. Name of the applicant was surfaced at the very belated stage during course of investigation on the false information given to the I.O. He further submits that specific role of firing with pistol is against co-accused Kaalu and no specific and distinct role has been assigned to the accused-applicant. In the F.I.R. more than one unknown person are said to be present in the aforesaid vehicle and they have caused firearm injury to the injured at 11.45 P.M. in the night. Thus, presence of the accused-applicant is doubtful on the basis of

circumstances. Furthermore, co-accused Vishal Kumar, having similar role, has already been enlarged on bail by this court vide order dated 27.02.2026 passed in Criminal Misc. Bail Application No.7786 of 2026 and parity is being sought in this case. It is further argued that applicant has no criminal history and is in jail since 04.12.2025. 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.

5. 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.

6. Having considered the facts that accused applicant is not named in the F.I.R., it has been stated in the F.I.R. that some unknown persons are present in the Swift New Model no.UP81 8089 and they have caused firearm injury to the injured. When the accused-applicant and other co-accused persons were arrested in Case Crime No.602 of 2025, it has been stated that name of the co-accused Kaalu has been surfaced regarding using fire arm and, thus, specific and distinct role regarding using fire arm is against co-accused Kaalu. In the injury report, injuries are said to be caused on hip of the injured, which is non-vital part of the body. The injured Ajay in his statement has not assigned the distinct role of the applicant regarding causing aforesaid injury. Co-accused Vishal Kumar, having similar role, has already been enlarged on bail. Accused-applicant has no criminal history and is in jail since 04.12.2025 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.

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

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

(Santosh Rai,J.)

March 17, 2026

Ankit.