



2026:AHC:55432

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 3260 of 2026

Salman Khan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Anil Kumar, Prateek Srivastava
Counsel for Opposite Party(s)	: G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Supplementary affidavit filed, today in Court, on behalf of the applicant is taken on record.
2. Heard learned counsel for the applicant, Sri Prem Prakash Tiwari, learned AGA for the State-respondents and perused the record.
3. This bail application has been moved on behalf of accused-applicant Salman Khan seeking enlargement on bail in Case Crime No.315 of 2025, under Sections 109, 191(3), 115(2), 352, 351(3) B.N.S., Police Station Maudaha, District Hamirpur.
4. Tersely, as per the allegation contained in the FIR three accused persons alongwith two unknown persons have caused injury to the injured persons, namely Laxmi Prajapati and Ateet with firearm and hard and blunt object.
5. 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. Applicant is languishing in jail since 11.12.2025. It is submitted that applicant is not named in the FIR but his name came into light during the course of investigation on the basis of statement of injured Ateet but no specific and distinct role of applicant regarding causing firearm injury to the injured Ateet has been assigned either in the FIR or in the statement of injured persons, whereas co-accused Babu @ Akib has been assigned the specific role of causing firearm injury to the injured Ateet in the statement of injured persons, namely Laxmi Prajapati and Ateet. It is further submitted that as per the medical report available on record the injured Ateet

has sustained firearm injury over left upper chest with left sided hemothorax with foreign body in situ but the role of causing firearm injury to the injured Ateet has been assigned to co-accused Babu @ Akib, whereas common and general role has been assigned to applicant. It is argued that co-accused Nihaluddin having similar role has already been enlarged on bail by this Court vide order dated 18.12.2025 passed in Criminal Misc. Bail Application No.43774 of 2025 and parity is sought in the matter. It is further argued that applicant has criminal history of one case which has been explained in para 2 of the supplementary affidavit filed on behalf of the applicant. 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 AGA 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. It is submitted that, in case the applicant is released on bail, he may again indulge in similar activities and misuse the liberty of bail. It is further submitted that as per the instructions received, charge-sheet has already been submitted in this case on 18.12.2025.

7. Having considered the submissions of the parties noted above as also the fact that applicant is not named in the FIR but his name came into light during the course of investigation on the basis of statement of injured Ateet but no specific and distinct role of applicant regarding causing firearm injury to the injured Ateet has been assigned either in the FIR or in the statement of injured persons, whereas co-accused Babu @ Akib has been assigned the specific role of causing firearm injury to the injured Ateet in the statement of injured persons, namely Laxmi Prajapati and Ateet, as per the medical report available on record the injured Ateet has sustained firearm injury over left upper chest with left sided hemothorax with foreign body in situ but the role of causing firearm injury to the injured Ateet has been assigned to co-accused Babu @ Akib, whereas common and general role has been assigned to applicant, co-accused Nihaluddin having similar role has already been enlarged on bail, charge-sheet has already been submitted on 18.12.2025, therefore, there is no reasonable possibility of intimidating or pressurizing the prosecution witnesses, 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.

March 18, 2026
RA

(Santosh Rai,J.)