



2026:AHC:63000

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 4262 of 2026

Ali Khan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashutosh Krishna, Rajesh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Supplementary affidavit filed on behalf of the applicant is taken on record.
2. Heard Shri Rajesh Yadav, learned counsel for the applicant, and Shri O.P. Singh, learned AGA for the State-respondents and perused the record.
3. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant Dharmendra, with a prayer to release him on bail in Case Crime No. 741 of 2025, under Sections 109(1), 317(5) of B.N.S. and Section 3/25/27 of Arms Act, Act registered at Police Station Sikohabad, District Firozabad, during pendency of the trial.
4. It has been submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case due to ulterior motive. It is further submitted that no police personnel are said to have received any firearm injury in the alleged incident. It is further submitted that as per first information report, it is alleged that two country made pistols, four live cartridges, two empty cartridges and one yellow colored metal chain are said to have been recovered from the possession of the applicant and co-accused jointly. The applicant is languishing in jail since 27.10.2025, undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of

trial.

5. Per contra learned A.G.A. has opposed the prayer for bail of the applicant.

6. As per first information report, no police personnel are said to have received any firearm injury in the alleged incident. It is further submitted that as per first information report, it is alleged that two country made pistols, four live cartridges, two empty cartridges and one yellow colored metal chain are said to have been recovered from the possession of the applicant and co-accused jointly. The applicant is languishing in jail since 27.10.2025.

7. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

8. In the event of arrest of the applicant- **Ali Khan** involved in the aforesaid case crime shall be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned :-

(i) 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.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) 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 under Section 351 of B.N.S.S.

(iv) 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 the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Jitendra Kumar Sinha,J.)

March 26, 2026

RKM