



2026:AHC:18506

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2791 of 2026

Sonu Alias Nikhil

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anil Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard learned counsel for the applicant and Sri R.P. Patel, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 506 of 2025, under Sections 126(2), 352, 115(2), 103(1), 61(2), 3(5) BNS, Police Station Sardhana, District Meerut, during the pendency of trial.
4. As per prosecution story, the applicant alongwith the co-accused persons is stated to have intercepted two sons of the informant on 1.8.2025 at about 9.00 pm, whereby the co-accused person Vikas @ Tillar is stated to have shot the son of the informant leading him to death. The incident is stated to have been seen by one Mohsin and other persons.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about three hours and there is no explanation of the said delay caused.
6. Learned counsel for the applicant has further argued that the informant admittedly is not an eye-witness. The eye-witness is Mohsin. The applicant has not been assigned the role of having shot the deceased. The deceased has sustained only one gunshot injury on his cranium. The applicant has nothing to do with the said offence. He was simply standing there. **The role of the co-accused person Vikas @ Tillar stands distinguished from that of the applicant.**

7. There is a criminal history of five cases assigned to the applicant, which stands explained. One case is under U.P. Gangsters Act in which he is yet to apply for bail. The applicant is languishing in jail since 7.8.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

8. Learned State Law Officer has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the applicant has not been assigned the role of having shot the deceased and his role stands distinguished from that of co-accused Vikas @ Tillar and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

10. Let the applicant- **Sonu Alias Nikhil**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

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

12. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

January 28, 2026

Shalini