



2026:AHC:18457

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2682 of 2026

Kariya Yadav @ Kavi Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Kashi Nath Singh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard learned counsel for the applicant and Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 222 of 2025, under Sections 103(1), 351(2), 352, 305(a), 3(5) BNS, Police Station Rajatalab, District Varanasi, during the pendency of trial.
4. As per prosecution story, at the exhortation of the applicant, all the co-accused persons including the applicant had assaulted and caused injuries to the father of the informant leading to his death and had robbed Rs. 3,600/- from the counter of the shop on 23.9.2025 at about 9.30 pm.
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 twenty hours and there is no explanation of the said delay caused.
6. Learned counsel for the applicant has further argued that there are general and omnibus allegations against all the accused persons. The role of exhortation has been assigned to the applicant initially, but subsequently, all the co-accused persons are stated to have assaulted the deceased. Eight injuries have been sustained by the deceased, but it has not come up as to who was the author of the said injuries. There is no criminal history of the

applicant. The applicant is languishing in jail since 10.10.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the delay in FIR and there being general and omnibus allegations against all the accused persons 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**.

9. Let the applicant- **Kariya Yadav @ Kavi Yadav**, 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.

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

11. 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