



2026:AHC:18465

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2770 of 2026

Sahil @ Tulli

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Prateek Srivastava
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 R.P. Singh, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 360 of 2025, under Sections 103(1), 3(5) BNS, Police Station Tronica City, District Ghaziabad, during the pendency of trial.
4. 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 nineteen hours and there is no explanation of the said delay caused.
5. Learned counsel for the applicant has further argued that the applicant has been nominated in the FIR on the basis of suspicion only. It is nowhere mentioned as to what the source of information was on which he levelled the allegations against the applicant. Subsequently, after the delay of about twelve days i.e. on 4.8.2025, two witnesses, namely, Rihan Ansari @ Chikna and Shoaib @ Kale are stated to have deposed against the applicant having seen him alongwith two other co-accused persons assaulting the deceased person. The said statement does not carry any weight as their names were not mentioned in the FIR, rather, they have been named subsequently, as such, the said witnesses are interested witnesses.

6. There is no criminal history of the applicant. The applicant is languishing in jail since 24.7.2025 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 State Law Officer 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 the names of the witnesses being not mentioned in the FIR 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- **Sahil @ Tulli**, 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