



2026:AHC:9090

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41784 of 2025

Jamalu

.....Applicant(s)

Versus

State Of U.P.,

.....Opposite
Party(s)

Counsel for Applicant(s) : Anjali Singh Tomer, Gaurav Singh
Tomar, Inder Pal Singh Tomar
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Gaurav Singh Tomar,, learned counsel for the applicant, Shri Ajay Singh, learned AGA for the State-respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Jamalu, seeking enlargement on bail in Case Crime No. 134 of 2025, under Sections 231 and 61 (2) of the Bharatiya Nyaya Sanhita, 2023 and Section 3/25/27 of Arms Act, Police Station Hafizpur , District Hapur.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 31.8.2025. Learned counsel for the applicant submits that applicant was not named in the FIR. His name surfaced on record on the basis of confessional statement of co-accused Fukran. Learned counsel for the applicant submits that role of firing to injured Mansad has been attributed against the applicant and the said fact came on record on the basis of confessional statement of co-accused Fukran, which cannot be read into evidence. Learned counsel for the applicant submits that charge sheet in this case has already been filed and similarly circumstanced co-accused Fukran has already been enlarged on bail by the Court below. He has no criminal antecedent 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.

Per contra learned A.G.A. has opposed the prayer for bail of the applicant, but could not dispute the aforesaid fact.

Considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is ***allowed***.

Let the accused-applicant, **Jamalu**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

(Ashutosh Srivastava,J.)

January 14, 2026
Ravi Prakash