



2026:AHC:126346

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2390 of 2026

Chandra Rajput

.....Appellant(s)

Versus

State Of U.P. Through It Principal Secretary
(Home) And Another

.....Respondent(s)

Counsel for Appellant(s)	:	Atul Kumar
Counsel for Respondent(s)	:	G.A.

Court No. - 7

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard learned counsel for the appellant and learned AGA as well as perused the entire record.
2. This is third bail application. The first bail application was rejected by co-ordinate Bench of this Court vide order dated 18.5.2022 passed in Criminal Misc. Bail Application No.4408 of 2019 (Chandra Vs. State of U.P. and Another). The second bail application has been rejected by the co-ordinate Bench of this Court vide order dated 04.09.2025 in Criminal Appeal No.919 of 2024 (Chandra Rajpur Vs. State of U.P. and Another).
3. The present criminal appeal under Section 14-A(1) Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has been filed by the appellant- Chandra Rajput to set aside the bail rejection order dated 12.12.2025 passed by Special Judge SC/ST Act, Saharanpur in Case Crime No.97 of 2019, under Sections 302, 201 IPC and Section 3(2)5 of SC/ST, P.S.- Kutubsher, District- Saharanpur.
4. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. The applicant has not committed any offence as alleged in the impugned FIR. There is no direct or indirect evidence against the appellant. It is a case of circumstantial evidence. Learned counsel for the applicant further submits that there are 28 witnesses in the charge sheet and till date, only six witnesses have been examined before the trial Court, therefore, there is no possibility of conclusion of trial in near future. He further submits that co-accused,

Pappu @ Toni @ Yogesh, has already been granted by co-ordinate Bench of this Court vide order dated 09.02.2026 passed in Criminal Appeal No.5256 of 2025. Learned counsel for the appellant further submits that the impugned order rejecting the bail application of the appellant suffers from infirmity and illegality warranting interference by this Court. Appellant is languishing in jail since 14.2.2019.

5. On the other hand, learned AGA has opposed the application for bail but could not dispute the submission raised by learned counsel for the appellant.

6. Having regard to the facts and circumstances of the case and keeping in view the nature of the offence, evidence, complicity of the accused, role assigned to the present appellant. It is apparent from the record that The first bail application of the applicant was rejected by a Coordinate Bench of this Court vide order dated 18.05.2022. Thereafter, the second bail application was also rejected vide order dated 04.09.2025 on the ground that the applicant had failed to disclose that the said application was his second bail application, this is the third bail application of the applicant but without expressing any opinion of merit, the Court is of the opinion that the appellant has made out a case for bail.

7. Accordingly, the appeal is **allowed** and the impugned order rejecting the bail application of the appellant is hereby set-aside.

8. Let the appellant- **Chandra Rajput**, involved in aforesaid case crime number be released on bail on 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 appellant will not tamper with the evidence during the trial.

(ii) The appellant will not pressurize/ intimidate the prosecution witness.

(iii) The appellant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv) The appellant shall not commit an offence similar to the offence of

which he is accused, or suspected, of the commission of which he is suspected.

(v) The trial court is directed to conclude the trial within period of one year from the date of the release of the appellant.

The appellant 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.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

(Jai Prakash Tiwari,J.)

June 9, 2026
S.K.