



2026:AHC:126826

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 17357 of 2026

Alok

.....Applicant(s)

Versus

The State Of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sandip Kumar Shukla, Zahid Khan
Counsel for Opposite Party(s) : G.A., Mahendra Singh

Court No. - 7

HON'BLE JAI PRAKASH TIWARI, J.

Heard Sri Sandip Kumar Shukla, learned counsel for the applicant, Sri Raunak Singh holding brief of Sri Mahendra Singh, learned counsel for the first informant and learned AGA for the State and perused the record.

The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of applicant with a prayer to release him on bail in Case Crime No. 317 of 2025, under Sections 191(2), 191(3), 190, 115(2), 352, 351(2), 105, 118(1), 117(3), 110 of B.N.S., registered at Police Station Zarif Nagar, District Budaun, during pendency of the trial.

Learned counsel for the applicant submits that the applicant is neither named in the FIR nor has the informant named the applicant in his statement recorded under Section 180 BNSS. It is submitted that no specific role has been assigned to the applicant causing injury to any injured or deceased. The applicant is languishing in jail since 26.12.2025 and the applicant is having no criminal history. There is no independent witness of the alleged incident. Further, it is submitted that co-accused of the applicant has already granted bail by the co-ordinate Bench of this Court vide order dated 3.06.2026 passed in Criminal Misc. Bail Application No. 18941 of 2026 (Pramod vs. State of U.P.). He undertakes that he will not misuse the liberty, if granted on parity. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

On the other hand, learned A.G.A. and learned counsel for the first informant have opposed the prayer for grant of bail to the applicant and it is submitted that applicant and other accused assaulted the first informant side as a result of which five persons have injured and one injured person has died in the hospital and his injury has been sufficient in the report to cause death.

Upon considering the totality of facts, nature and the evidence reflected from record, co-accused of the applicant has already granted bail by the co-ordinate Bench of this Court, and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

Let the **applicant- Alok** involved in the aforesaid case crime be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned with the following conditions :-

- (i) The applicant 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 them from disclosing such facts to the court or to any police officer or tamper with the evidence.
- (ii) The applicant shall not pressurize/intimidate the prosecution witnesses.
- (iii) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of B.N.S.S.
- (iv) The applicant shall file an undertaking to the effect that he shall not seek any unnecessary adjournment on the dates fixed for evidence when the witnesses are present in the trial court.
- (v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

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

It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will, in no way, be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Jai Prakash Tiwari,J.)

June 11, 2026

Brijesh