



2026:AHC:126428

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 17838 of 2026

Deepak

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjay Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE SANJIV KUMAR, J.

1. Heard Sri Sanjay Kumar Srivastava, learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the record.
2. The present bail application has been filed on behalf of the applicant in Case Crime No.81 of 2026, under Sections 61(2), 125, 351(2), 231 of BNS and Section 3/25/27 Arms Act, Police Station-Lohiya Nagar, District-Meerut, with the prayer to enlarge him on bail.
3. As per prosecution case, the FIR was lodged against named accused Pradeep by Pradeep Kumar son of Rakampal that he shot at the first informant's son Deepak with intention to kill him. Thereupon, the FIR was lodged under Sections 109(1) and 352(2) BNS. During investigation, it came out that the injured Deepak in collusion with other co-accused tried to falsely implicate the named accused Pradeep for attempt to commit his murder. On the basis of statement of injured and co-accused Harsh Bharadwaj, it came to know that Deepak himself tried to harm himself by shooting at his arm so that the named accused Pradeep might falsely implicated. During investigation, the applicant was arrayed as an accused by manufacturing/ creating evidence to procure conviction of named accused Pradeep for the said offence. The charge-sheet was filed against the present applicant and other co-accused.
4. It has been submitted that there was love affair between the applicant's sister and named accused Pradeep due to which some dispute arose between the applicant and named accused Pradeep. It has further been

submitted by the learned counsel for the applicant that the applicant himself is victim and has been falsely implicated in the present case only on his confessional statement which is not admissible in the eye of law. It has next been submitted that co-accused Harsh Bhardwaj has already been granted bail by a coordinate Bench of this Court vide order dated 02.04.2026 passed in Criminal Misc. Bail Application No. 10297 of 2026. The applicant is languishing in jail since 14.02.2026 having no criminal history. In these circumstances, the applicant is entitled for bail. In case of being enlarged on bail, he will not misuse the liberty of bail.

5. Learned A.G.A. opposed the prayer for grant of bail to the applicant and submits that the offence is grievous in nature, but he does not dispute the fact that co-accused has already been granted bail.

6. Considering the rival submissions of learned counsel for the applicant, learned A.G.A. and going through the contents of FIR as well as other relevant documents, I am of the view that the applicant is entitled to be released on bail.

7. Let the applicant-**Deepak**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond of Rs. 1 lac and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(ii) 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC/ 269 BNS.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./ 84 BNSS, may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC/ 209 BNS.

(vi) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./ 351 BNSS. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

(Sanjiv Kumar,J.)

June 9, 2026

Gss