



2026:AHC:124269

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 18871 of 2026

Roopram

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Brajesh Kumar Solanki, Samrat Vikram Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Brajesh Kumar Solanki, learned counsel for the applicant and Shri S.D. Shukla, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 397 of 2024, under Sections 352, 351(2), 103 of B.N.S., Police Station Dataganj, District Budaun, during the pendency of the trial.
3. Learned counsel for the applicant has submitted that the applicant has been falsely implicated in the present case though there is no incriminating material against him. It is further submitted that the applicant has been summoned to face trial under Section 358 BNSS on the basis of the statement recorded by the trial Court. It is further submitted that though, the applicant was named in the first information report, however, his name was not mentioned in the Charge Sheet during the course of the investigation. It is further submitted that co-accused Mahaveer and Ramashankar have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 19.01.2026 and 19.01.2026 passed in Criminal Misc. Bail Application Nos.9948 of 2025 and 13588 of 2025. It is further submitted that the applicant is having no criminal history and the applicant has been languishing in jail since 21.04.2026. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.
4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail and it has been submitted by him that the applicant was named in the FIR

and now on the basis of the statement of the witnesses recorded by the trial court, the applicant has been summoned to face trial under Section 358 of BNSS.

5. Co-accused Mahaveer and Ramashankar have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 19.01.2026 and 19.01.2026 passed in Criminal Misc. Bail Application Nos.9948 of 2025 and 13588 of 2025. As per first information report, applicant and other co-accused persons are said to have assaulted the first informant side by hard and blunt object, as a result of which, one Tejendra, the brother of the first informant has received multiple injuries on his person and he died. No specific role has been assigned to the applicant and his name did not find mentioned in the charge sheet and the applicant has been summoned to face trial under Section 358 of BNSS. It is further submitted that the applicant is having no criminal history and the applicant has been languishing in jail since 21.04.2026.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Accordingly, the present application is **ALLOWED**.

8. Let the applicant- **Roopram** involved in the aforementioned 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, 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

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

10. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **Jail Superintendent, Budaun** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in (2024) 10 SCC 685.

June 1, 2026
RKM

(Jitendra Kumar Sinha,J.)