



2026:AHC:126457

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 19046 of 2026

Shailendra Chaudhari

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sandeep Kumar Maurya
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE SANJIV KUMAR, J.

1. Heard 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.0566 of 2025, under Sections 109, 115 (2), 351 (3) and 117 BNS, Police Station-Cantt., District-Bareilly, with the prayer to enlarge him on bail.
3. Learned counsel for the applicant submitted that the applicant is an innocent person and has been falsely implicated in the present case and he is languishing in jail since 13.02.2026. He next submitted that the allegation against the applicant is that he, along with the other co-accused persons, committed the offence by assaulting the first informant and his wife with hockey stick, sharp-edged weapon, and also by kicks and fists. After completion of the investigation, a charge-sheet has been filed against the applicant. The applicant has history of two criminal cases, which have been duly explained in paragraph no. 30 of the application. He further submitted that co-accused Praveena Devi has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 16.03.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 Cr.P.C. No. 2487 of 2026. In these circumstances, the applicant is entitled for bail. In case of being enlarged on bail, he will not misuse the liberty of bail.
4. Learned A.G.A. opposed the prayer for grant of bail to the applicant.
5. Considering the rival submissions of learned counsel for the applicant,

learned A.G.A. and going through the contents of FIR, injury report of the injured as well as other relevant documents, I am of the view that the applicant is entitled to be released on bail.

6. Let the applicant-**Shailendra Chaudhari**, who is involved in aforementioned case 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 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 (corresponding Section 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. (corresponding Section 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 (corresponding Section 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. (corresponding Section 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.

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

June 9, 2026
Amit

(Sanjiv Kumar,J.)