



2026:AHC:125094

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19190 of 2026

Govind Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Bharat Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 4

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Bharat Singh, learned counsel for the applicant, Sri Rakesh Kumar Mishra, learned A.G.A. for the State and perused the record.
2. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 67 of 2026, under Sections 103(1), 3(5), 352, 351(3) B.N.S., Police Station Dataganj, District Budaun.
3. As per prosecution story, the co-accused Monu was driving the tractor and the applicant was seated on the said tractor. Co-accused intentionally run the tractor over the deceased, causing his death.
4. Learned counsel for the applicant has submitted that neither in the FIR, nor in the statement of first informant nor in the statements of named witnesses, any allegation has been made against the applicant. Specific allegation of running over the tractor and killing the deceased has been made against co-accused Monu. It is further submitted that co-accused Shadab has already been released on bail by this Court in Criminal Misc. Bail Application No. 13657 of 2026 vide order dated 24.04.2026. Therefore, the applicant is also entitled to be released on bail on the ground of parity. It is further submitted that the applicant is shown to have involved in a case under Excise Act, in which he has been released on the basis of confession by imposing penalty of Rs.500/-. The applicant is languishing in jail since 10.03.2026. In case the applicant is granted bail, he will not misuse the liberty of bail and would cooperate in the trial

proceedings.

5. *Per contra*, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

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** 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. Accordingly, the bail application is **allowed**.

7. Let the applicant- **Govind Singh** 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.

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

9. Identity, status and residence proof of the applicant and sureties be

verified by the court concerned before the bonds are accepted.

10. It is made clear that the applicant shall be released on the basis of downloaded copy of this order from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

11. It is 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 concerned Jail Superintendent via e-mail or on e-prison portal and Trial Court via e-mode 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** as well as **Pila Pahan @ Peela Pahan and others Vs. State of Jharkhand and another**, in **Writ Petition (Criminal) No. 169 of 2025**, decided on 29.05.2026.

(Arun Kumar Singh Deshwal,J.)

June 3, 2026

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