



2026:AHC:128238

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 19566 of 2026

Musbbeer

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Raj Kumar Ojha, Rajesh Kumar Pandey
Counsel for Opposite Party(s)	: G.A.

Court No. - 46

HON'BLE GARIMA PRASHAD, J.

1. Heard Sri Rajesh Kumar Pandey, 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. 105 of 2026, under Sections 191(2), 191(3), 115(2), 352, 351(2), 109, 125 BNS & 7 Criminal Law Amendment Act 1932, Police Station- Mundali, District-Meerut, with the prayer to enlarge him on bail.
3. Learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case. It has been submitted that as per the prosecution case, some dispute arose between two groups on flowing of the water, for which both groups attacked upon each other with lathi, danda, iron rod in front of police causing injuries. It has further been submitted that no specific role is assigned to the applicant. There is only one injured who has been medically examined and as per medical report, the injured sustained two injuries which are simple in nature. The applicant is languishing in jail since 10.05.2026. In the event of being enlarged on bail, he shall not misuse the liberty of bail and shall cooperate with the trial proceedings. Learned counsel for the applicant further submitted that the applicant was not named in the F.I.R. and his name has been added upon the statement of co-accused. The applicant has criminal history of two other cases, which have been explained by way of Supplementary Affidavit dated 11.02.2026. Learned counsel for the applicant submits that co-accused Aslam has been granted bail by a Coordinate Bench of this Court vide order dated 10.06.2026 passed in Criminal Misc. Bail Application No.19277 of 2026 (Aslam v. State of U.P.). It was, therefore, contended that the case of the applicant stands on parity with the co-accused who has already been

enlarged on bail.

4. Learned A.G.A. opposed the prayer for grant of bail to the applicant and submitted that the injuries are grievous in nature.

5. Keeping in view of the nature of the offence, all attending facts and circumstances of the case, complicity of accused, severity of punishment, the role of the applicant and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. Accordingly, the bail application is allowed.

6. Let the applicant-**Musbbeer**, 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 19, 2026

VS

(Garima Prashad,J.)