



2026:AHC:128429

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19690 of 2026

Rohit Rajput

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Deepak Singh, Diksha Duggal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 46

HON'BLE GARIMA PRASHAD, J.

1. Heard learned counsel for the applicant,, 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 Sessions Trial No.557 of 2026 arising out of Case Crime No.448 of 2025, under Sections-103(1), 126(2), 115(2), 352 of BNS, Police Station-Rawatpur, District-Kanpur Nagar, during the pendency of the trial.
3. Contention of learned counsel for the applicant is that as per the prosecution story, FIR was lodged by the father of the deceased with the allegation that his son (Lucky) was going along with his friend, Rishu by the motor cycle but the applicant and other co-accused persons stopped them on the road and started beating the deceased as well as Rishu who somehow escaped to save himself and informed the first informant and on reaching on the spot, the first informant found the deceased unconscious. He immediately rushed to the hospital. Subsequently, his son died in the hospital. It is further submitted that there is no allegation that the applicant or other co-accused persons had assaulted the deceased with any weapon, it was simply a case of beating with fist and scuffling and postmortem of the deceased shows that injury caused on his body is not sufficient to cause death. Therefore, cause of death could not be ascertained, actually the deceased died because of heart attack or any other reason in the hospital and applicant has been falsely implicated. It is

further submitted that the applicant has no criminal history. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant is a law abiding citizen and he is languishing in jail since 9.11.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Learned counsel for the applicant lastly contends that co-accused Mohit Kumar, who has been assigned similar role, has already been enlarged on bail by this Court in Criminal Misc. Bail Application No.15584 of 2026 vide order dated 14.5.2026.

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 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. Let the applicant- Rohit Rajput, 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. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded 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.

12. 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.

13. Office is directed to send a copy of this order to the applicant through concerned Jail Superintendent 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**.

(Garima Prashad,J.)

June 19, 2026
Rakesh