



2026:AHC:127510

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 20590 of 2026

Satendra And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Hardev Prajapati
Counsel for Opposite Party(s)	:	G.A.

Court No. - 45

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard Sri Hardev Prajapati, learned counsel for the applicants and the learned A.G.A. for the State of State of U.P.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 119 of 2026 under Sections 109(1), 191(2), 191(3), 190, 221, 126(2), 121(1), 132, 115(2), 352, 351(3) BNS and 7 Criminal Law (Amendment) Act registered at Police Station Sahawar, District Kasganj.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case. They have nothing to do with the alleged offence. It is further submitted that as per the FIR, 36 named and 10-15 unknown persons are said to have been pelted stones and bricks on a procession being led by another group of persons. It is further submitted that two police persons are said to have received injuries in the alleged incident. It is further submitted that general role has been levelled against the applicant and several others. Learned counsel for the applicants next contends that the similarly situated co-accused, namely, Rachana, Amit and Munnalal have been granted bail by a Co-ordinate Bench of this Court vide orders dated 7.5.2026 and 22.5.2026 passed in Criminal Misc. Bail Application No.15521 of 2026 and Criminal Misc. Bail Application No.17776 of 2026 respectively. He further contends that the criminal antecedents of the applicants have been well explained in paragraph nos. 3 and 4 of the supplementary affidavit and they are in jail since 15.4.2026.

4. Learned A.G.A., on the other hand, opposed the prayer for grant of bail, however, he could not dispute the fact that similarly situated co-accused, namely, Rachana, Amit and Munnalal have been granted bail by a Co-ordinate Bench of this Court.

5. I have considered the rival submissions made by the learned counsel for the parties and perused the material brought on the record.

6. In view of the entire facts and circumstances of the case, especially taking into account the fact that the similarly situated co-accused, namely, Rachana, Amit and Munnalal have been granted bail by a Co-ordinate Bench of this Court and the same order has not been set aside or stayed by the Hon'ble Supreme Court, and the applicant has been languishing in jail since 15.4.2026, I deem it appropriate to enlarge the applicant on bail.

7. The bail application is **allowed**.

8. Let the applicants- **Satendra and Upendra** who are involved in the 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. Further, before issuing the release order, the sureties be verified.

(i) The applicants 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.

(ii) The applicants shall remain present before the Trial Court on each date fixed, either personally or through their counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against them under Section 229-A IPC/ 269 B.N.S.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence proclamation under Section 82 Cr.P.C./ 84 B.N.S.S., may be issued and if applicants fail to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against them, in accordance with law, under Section 174-A IPC/ 209 B.N.S.

(iv) The applicants 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. 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 them in accordance with law.

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

10. It is made clear that observations made in granting bail to the applicants shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

June 16, 2026
Fahad

(Vivek Kumar Singh,J.)