



2026:AHC:129214

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 20183 of 2026

Satyam Kumar Gaur

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Tripurari Pal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE TEJ PRATAP TIWARI, J.

1. Heard learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the records.
2. The instant bail application has been filed on behalf of the applicant in Case Crime No.35 of 2026, under Section 103(1) B.N.S., Police Station-Kotwali, District-Gorakhpur, with the prayer to enlarge him on bail, during the pendency of trial.
3. At the very outset, learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated in the present case. He further submitted that, as per the version of the F.I.R., annexed at page no. 23 onwards, the incident is alleged to have taken place on 25.02.2026 at about 05:00 p.m. The applicant as well as the son of the complainant, both being students, had gone there to appear in their examination, and there was an altercation took place between them. The statements of the other students who were present at the spot at that time have also been recorded by the concerned Investigating Officer, annexed with the present application. He further contended that the applicant has been in jail since 27.02.2026 and has no criminal history to his credit. In these circumstances, the applicant is entitled to be released on bail. In the event of being enlarged on bail, he shall not misuse the liberty of bail and shall cooperate with the trial proceedings.
4. Learned A.G.A. opposed the prayer for grant of bail to the applicant.
5. Keeping in view the nature of the offence, evidence, complicity of the

accused, severity of punishment, submissions of the learned counsel for the parties and without expressing any opinion on the merits and demerits of the case, I am of the considered view that applicant has made out a case for bail. The bail application is allowed. .

6. Let the applicant-**Satyam Kumar Gaur**, 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.

(Tej Pratap Tiwari,J.)

June 25, 2026

Manoj