



2026:AHC:127047

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 19582 of 2026

Jagdish

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 5

HON'BLE SANJIV KUMAR, J.

1. Heard Shri Sanjay Singh, learned counsel for the applicant and learned A.G.A. for the State and also perused the material placed on record.
2. The present bail application has been filed on behalf of the applicant in Case Crime/FIR No.368 of 2023, under Sections 147, 148, 149, 308, 323, 324, 325, 504 and 506 I.P.C., Police Station- Tajganj, District- Agra, with the prayer to enlarge him on bail.
3. Learned counsel for the applicant submitted that applicant is innocent person and has been falsely implicated in the case. It is also submitted that there are general allegations against the applicant and no specific role has been assigned to him. It is further submitted that there are three injured and except for a fracture over little finger of Pushpendra Singh, rest of the injuries are simple in nature. It is submitted that the investigation has been concluded and charge-sheet has been filed. It is next submitted that offence is punishable by not more than seven years' imprisonment. The applicant has no previous criminal history and is languishing in jail since 17.05.2026. He further submitted that co-accused, namely, Rameshwar and Yogesh Tomar, have already been granted bail by Co-ordinate Bench of this Court. In these circumstances, the applicant is also entitled for bail. In case of being enlarged on bail, he will not misuse the liberty of bail.
4. During course of arguments, learned counsel for the applicant placed before this Court a photocopy of bail order of co-accused, namely, Yogesh Tomar Singh is taken on record.

5. Learned A.G.A. has opposed the prayer for grant of bail to the applicant but has fairly conceded that similarly situated co-accused – have already been granted bail.

6. Considering the rival submissions of learned counsel for the applicant, learned A.G.A. and going through the contents of FIR as well as other relevant documents and 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 a case for bail. The bail application is **allowed**.

7. Let the applicant- **Jagdish**, 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., 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.

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

June 12, 2026
AdityaG

(Sanjiv Kumar,J.)