



2026:AHC:129643

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 21869 of 2026

Aakash Pal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Deepankar Dwivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE RAJIV LOCHAN SHUKLA, 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 in Case Crime No. 525 of 2025, under Sections 191(3), 115(2), 352, 109(1), 103(1), 190 of the B.N.S., Police Station- Badagaon, District- Varanasi, during the pendency of the trial.
3. Learned counsel for the applicant submits that the applicant was not named in the First Information Report (FIR). His name was subsequently disclosed in the confessional statement of the co-accused, Shubham Maurya. Learned counsel further submits that, in the confessional statement of the co-accused Shubham Maurya as well as in the statement of the injured witness, Ramu Yadav, the role of firing has been specifically assigned to Sandeep. The deceased died as a result of a gunshot injury. It is further submitted that similarly situated co-accused, namely, Premshankar Patel, Karan Prajapati and Pawan Kumar Pal, have already been granted bail by this Court in Bail Application Nos. 16134 of 2026, 16489 of 2026 and 19508 of 2026, respectively. The applicant has no criminal antecedents.
4. Learned A.G.A. has opposed the prayer for bail; however, he could not dispute the fact that the case of the applicant stands on a similar footing to that of the co-accused, Premshankar Patel, Karan Prajapati and Pawan Kumar Pal.

5. I have considered the submissions made by the learned counsel for the parties.

6. The applicant was not named in the FIR. From the prosecution case, the specific role of causing the gunshot injury appears to have been assigned to the co-accused, Sandeep. Thus, the case of the applicant is distinguishable from that of the co-accused, Sandeep. Moreover, similarly situated co-accused, namely, Premshankar Patel, Karan Prajapati and Pawan Kumar Pal, have already been granted bail by this Court. The applicant has no criminal antecedents and is in jail since 23.01.2026.

7. Taking into account the entire facts and circumstances of the case, a prima facie case for bail is made out.

8. The bail application is allowed.

9. Let the applicant - **Aakash Pal**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two reliable sureties each in the like amount, to the satisfaction of the Court concerned, subject to the following conditions:

i. The applicant will not tamper with the evidence.

ii. The applicant will not indulge in any criminal activity.

iii. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

iv. The applicant will appear regularly on each and every date fixed by the trial Court, unless his personal appearance is exempted by the Court concerned.

10. In the event of breach of any of the aforesaid conditions, the trial Court will be at liberty to proceed to cancel his/her bail.

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. The observations made hereinabove are exclusively for deciding the instant bail application and shall not be construed as an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

June 30, 2026
Kushal