

UPAD010075062026



IN THE COURT OF SESSIONS JUDGE, PRAYAGRAJ

Present: Satya Prakash Tripathi(H.J.S.)

Bail Application No.– 2758 of 2026

(1) Mohd. Salman, (2) Faizan Ali @ Abdul and (3) Farman Ali @ Pappu, sons of Mohd. Saeed @ Usraihi, R/o – Badi Bogi P.S. – Ghurpur, District Prayagraj.

... Accused /Applicants

Versus

State of U.P.

... Prosecution/Opposite party

Case crime no. 150 of 2026

U/s – 191(2), 103(1) B.N.S.

P.S. – Ghoorpur, Prayagraj.

Diposal of Bail Application

Dated : 15.07.2026

1. This Bail Application has been filed by the learned counsel on behalf of the applicants/accused Mohd. Salman, Faizan Ali @ Abdul and Farman Ali @ Pappu with a prayer to enlarge them on bail in Case Crime no. 150 of 2026, u/s 191(2), 103(1) B.N.S. P.S. – Ghoorpur, District– Prayagraj. In support of this bail application, affidavit has been filed by Aasma Begum, mother of the applicants, who is also the pairokar of the applicants.

2. I have heard the arguments advanced by the learned counsel for the accused/applicants. I have also heard learned D.G.C.(Crl.) on behalf of State and perused the prosecution records.

3. In the bail application, it has been averred that this is the first bail application of the applicants/accused and no any other bail application is pending in any other court. The applicants/accused are languishing in jail since 28.04.2026. The deceased is the relative of the applicants, who had came to their house to attend the wedding. The deceased got pushed in the crowd due to which he had sustained injury on his head. No incident regarding the stone pelting or as such had occurred. The applicants/accused are quite innocent and they had been implicated in this case in a conspiracy. The F.I.R. has been registered on false ground. No weapon has been recovered from their possession. The applicants/accused have no prior criminal history.

4. The Ld. Counsel for the applicants/accused has reiterated the contents of bail application and argued before the court that the applicants/accused were not present on the spot at the time of the incident. They have no role in the death of the deceased. No dispute regarding any matter exists between the parties. In fact, the applicants/accused are the relatives of the deceased. And, the deceased has sustained only one injury on his head. The accused are languishing in jail since 28.04.2026. Hence, it has been prayed that accused/applicant be released on bail.

5. Per contra, the learned D.G.C (Criminal) on behalf of the State vehemently opposed the said bail application and argued that applicants/accused are not entitled for bail as they were actively involved in the commission of the alleged offence. The deceased has sustained ante mortem injury. Also, the weapon of murder has been recovered from the possession of co-accused Guddu. There are sufficient evidence available on record corroborating the involvement of the accused/applicant. Hence, it has been prayed that the bail application of the applicant/accused be dismissed.

6. As per the F.I.R. version, the first informant Mohd. Hussain s/o Nisaar Ahmed has lodged the F.I.R. on 27.04.2026 at about 13:09 hours at the P.S. Ghoorpur and complained that on 27.07.2026 at about 7:00 A.M., his paternal aunt's goat came into their house, which was chased away by his father Nisaar Ahmed. Regarding this matter, the sons of his paternal aunt, Guddu, Abdul, Salman, Rashid and Pappu came to his house and attacked his father Nisar Ahmed by wooden sticks (*lathi*), who was sitting outside the house, by wooden rods. Thereafter, they left him in serious condition. His father was taken to S.R.N. Hospital, Prayagraj where he died at about 11:00 A.M.

7. I have perused the F.I.R., case diary, report from the P.S. concerned, postmortem report, other relevant papers etc. It is evident that the F.I.R. was lodged by the first Informant on the very same day after the incident, naming the applicants/accused therein. During the investigation, the statements of the witnesses reveals that the applicants/accused had attacked and beat the first informant's father Nisaar Ahmed with wooden stick and lathi in furtherance of common intention. The deceased sustained serious injuries on his head, face and other parts of the body and ultimately succumbed to death same day. The postmortem report reveals that the cause of death was Subdural and Subarachnoid Hematoma due to fracture in his skull. The bail application of the co-accused Mohd. Rashid has already been rejected by this court. At this stage, the role of the applicants/accused is similar to the role of co-accused Mohd. Rashid. There seems no satisfactory ground to enlarge applicants/accused on bail. Therefore, this bail application is liable to be rejected.

ORDER

This bail application of the applicants/accused **(1) Mohd. Salman, (2) Faizan Ali @ Abdul and (3) Farman Ali @ Pappu, sons of Mohd. Saeed @ Usraihi** is hereby rejected.

Dated: 15.07.2026

(Satya Prakash Tripathi)
Sessions Judge
Prayagraj.
J.O. Code – UP 5687