



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2445 of 1986

Chunna And Others

.....Appellant(s)

Versus

State

.....Respondent(s)

Counsel for Appellant(s) : Ashish Kumar, Ambreen Masroor, K. Sahai, Sadrul Islam Jafri

Counsel for Respondent(s) : A.G.A.

Court No. - 76

HON'BLE NAND PRABHA SHUKLA, J.

Order on Criminal Misc. Second Bail Application No. 05 of 2026

1. Heard Mr. Ashok Kumar Singh, learned counsel for the appellant No. 1, Mr. N.I. Jafri, learned Senior Advocate, assisted by Mr. Sadrul Islam Jafri, learned counsel for the appellant No. 2, Mr. Abhishek Chandra, learned counsel for the appellant No. 3, learned A.G.A. for the State and perused the record.

2. This is the second bail application on behalf of appellant No. 1 Chunna in the pending Criminal Appeal.

3. It has been submitted that the appellant Chunna was enlarged on bail vide order dated 19.09.1986 and due to non-appearance of counsel for the appellant, the Non-Bailable Warrant was issued vide order dated 01.08.2025 and in pursuance to the same, the appellant has been arrested on 20.08.2025 and is languishing in jail. It has further been argued that the appellant is 80 years of age and that if the appellant is released on bail he will never misuse the liberty and will cooperate in the hearing of this appeal. Since there is no likelihood of early hearing of the appeal in near future, the appellant may be released on bail in the pending appeal. Besides the above submissions, learned counsel for the appellant has also tried to touch upon at length the circumstances which led to the false implication of accused-appellant.

4. On the other hand, learned A.G.A. vehemently opposed the bail application but could not dispute the aforesaid facts.

5. Considering the fact that the appellant No. 1 is languishing in jail since

20.08.2025, there is nothing on record to demonstrate that the appellant has misused the liberty of bail or would affect the final hearing of the appeal.

6. Having regard to the facts and circumstances of the case, sentence awarded to the appellant, the evidence available on record and the findings recorded by the Trial Court, the appeal may take some time for its final disposal, without further commenting on the merits of the case, I am inclined to release the appellant No. 1 Chunna on bail.

7. Let the appellant/applicant-**Chunna** be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned.

8. On acceptance of bail bonds and personal bonds, the concerned Court shall transmit photostat copies thereof to this Court to be kept along with the record of this appeal.

Order on Appeal

9. Mr. Ashish Kumar, learned *amicus curiae* need not to appear on behalf of appellant No. 1 Chunna.

10. List this appeal on 09.04.2026.

March 18, 2026
Shivani

(Nand Prabha Shukla,J.)