



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2346 of 1989

Aidal @ Aidal Singh And Others

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s) : Saurabh Yadav, Virendra Saran
Counsel for Respondent(s) : D.G.A.

Court No. - 42

**HON'BLE SIDDHARTHA VARMA, J.
HON'BLE PRASHANT MISHRA-I, J.**

Criminal Misc. Bail Application No. 2 of 2026.

1. The instant application has been filed under Section 389 Cr.P.C. to release the appellant/applicant no.4- Chandhari @ Raj Kumar on bail in Sessions Trial No. 191 of 1988, under Section 302/34 I.P.C., Police Station- Bisauli, District- Badaun.

2. Sri Narendra Kumar Pathak, learned counsel appears and has pressed the bail application for appellant no.4- Chandhari @ Raj Kumar. He submits that he would be appearing on all dates fixed in the future. Under such circumstances we grant bail to the appellant no.4- Chandhari @ Raj Kumar, and the bail application is **allowed**.

3. Let the applicant no.4- Chandhari @ Raj Kumar, convicted and sentenced in the aforesaid case, be released on bail on his furnishing personal bonds with two sureties each in the like amount to the satisfaction of the court concerned.

4. On acceptance of bail bond and personal bonds, the Trial Court shall transmit photostat copies thereof to this Court for being kept on the record.

Order on Appeal.

5. It has been further informed by the learned counsel for the appellant no. 4 that the appellant no. 4, at the time of the recording of his statement

under Section 313 Cr.P.C., was 18 years of age and the alleged incident is said to have taken place in the year 1986. Under such circumstances, we direct the Juvenile Justice Board at Badaun, to look into the age of the appellant no.4 at the time of alleged incident after ascertaining his present age.

6. To give a base on which the Juvenile Justice Board would proceed with the case, we direct the Registry to send a photocopy of the statement of the appellant no.4 under Section 313 Cr.P.C. to the Juvenile Justice Board at Badaun. Also, notices be issued to the appellant no.4- Chandhari @ Raj Kumar to appear before the Juvenile Justice Board, Badaun, on a particular date. The Juvenile Justice Board after hearing all the parties concerned shall arrive at a conclusion as to what is the age of the appellant no. 4- Chandhari @ Raj Kumar as of today and what was his age on the alleged date of incident.

7. List this case again on 29.04.2026.

(Prashant Mishra-I,J.) (Siddhartha Varma,J.)

March 19, 2026
Saurabh