



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 682 of 2026

Satyapal

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s) : Shamsher Singh

Counsel for Respondent(s) : G.A., Mahipal Singh, Surya Narayan Sharma

Court No. - 91

HON'BLE RAJ BEER SINGH, J.

Order on Criminal Misc. Application under Section 430(1) BNSS:-

1. Compliance affidavit filed by learned A.G.A. is taken on record.
2. Heard learned counsel for the appellant, learned counsel for the informant and learned A.G.A. for the State.
3. This application has been filed on behalf of the appellant for suspension of sentence and grant of bail during pendency of this appeal.
4. The appellant has been convicted by the trial court under Sections 307/34, 452/ 34 I.P.C. and Section 25(1Kha)(Ka) Arms Act and maximum sentence awarded to the appellant is five years rigorous imprisonment.
5. Learned counsel for the appellant submitted that the trial court has misread the evidence and there is no credible evidence against appellant. As per prosecution version, appellant and co-accused Navneet @ Sonu trespassed into the house of informant and made firing with country made pistols and resultantly three persons sustained injuries. Learned counsel has referred statement of PW-5 Dr. Prem Prakash and submitted that the injuries of all the three injured persons are simple in nature and thus no case under Section 307 IPC is made out. Learned counsel has referred statement of PW-8 Dr. Mohit Sharma and submitted that alleged C.T. scan of injured Robbi Chaudhary is wholly doubtful. Learned counsel has referred statement of injured persons and other witnesses and submitted that there are material contradictions and infirmities in the prosecution case. The appellant has already undergone custody of about four and a half months. The appellant has no criminal history. Lastly, it was submitted that due to huge pendency of cases there is no possibility of early hearing in appeal and thus in view of

aforesaid facts the appellant may be granted bail during pendency of appeal.

6. Learned A.G.A. and learned counsel for the informant have opposed the application and submitted that there are serious allegations against appellant. It was stated that appellant and co-accused have made firing by trespassing into the house of informant and three persons have sustained injuries. Learned counsel for the informant has referred statements of PW-8 Dr. Mohit Sharma and submitted that injured Robby Chaudhary has sustained serious injuries. It was submitted that no case for suspension of sentence is made out.

7. Considering the submissions of learned counsel for the parties, nature of evidence and all attending facts and circumstances of the case, without expressing any opinion on the merits, a case for suspension of sentence / grant of bail is made out. Hence, the application for suspension of sentence / bail is hereby **allowed**.

8. Let the appellant **Satyapal** convicted and sentenced in Special Session Trial Case No. 03 of 2018 (State Vs. Satyapal and another), arising out of Case Crime No.362 of 2016, under Sections 307/ 34, 452/ 34 I.P.C. and Consolidated Session Trial Case No. 1175 of 2024 (State Vs. Satyapal), arising out of Case Crime No.367 of 2016, under Section 25(1Kha)(Ka) Arms Act, Police Station - Haldaur, District Bijnor, be released on bail on his furnishing a personal bond with two sureties (one should be of his family member) in the like amount to the satisfaction of the court concerned.

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

10. Realization of 50% of the amount of fine imposed by the trial court shall remain stayed during the pendency of this appeal.

Order on memo of appeal:-

List in due course before appropriate Bench.

March 20, 2026

'SP'/-

(Raj Beer Singh,J.)