



2026:AHC:87310

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 5369 of 2026

Anas

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Diwanshu Tiwari, Jitendra Kumar Singh, Sanjay Kumar Yadav, Shailesh Kumar Upadhyay

Counsel for Opposite Party(s) : G.A., Shailendra Kumar Tripathi

Court No. - 66

HON'BLE SAMEER JAIN, J.

1. Heard Sri Jitendra Kumar Singh, learned counsel for the applicant, Sri Durgesh Kumar Pandey, learned Advocate, holding brief of Sri Shailendra Kumar Tripathi, learned counsel for the informant and Dr. S.B. Maurya, learned AGA-I for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.666 of 2025, under Sections 109(1), 191(2), 191(3), 351(3), 352, 131, 190, 115(2) of BNS and Section 7 of Criminal Law Amendment Act, Police Station Chhibramau, District Kannauj, during pendency of the trial.

3. Learned counsel for the applicant submits, however, as per allegation, due to fire opened by the applicant, injured Sartaj sustained injury on his leg but from the medical report of the injured, it reflects he did not sustain any fire arm injury.

4. He further submits, according to the doctor, injured Sartaj sustained injury through hard and blunt object and, therefore, it is apparent that on the basis of false allegation, applicant has been made accused in the present matter along with others.

5. He further submits, however, apart from the present case, applicant is having criminal history of two other cases but his criminal history has been duly explained and in both the cases, he is on bail.

6. He further submits, in the present matter applicant is in jail since 28.01.2026 i.e. for the last more than two and half months.

7. Per contra, learned AGA and learned counsel for the informant opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for applicant.

8. I have heard learned counsel for the parties and perused the record of the case.

9. However, as per allegation, due to fire opened by the applicant, injured Sartaj sustained fire arm injury on his leg but from perusal of the medical report of the injured, it reflects he did not sustain any fire arm injury and it appears he sustained injury caused by hard and blunt object.

10. Further, however, apart from the present case, applicant is having criminal history of two other cases but his criminal history has been duly explained in the instant bail application and in both the cases, he is on bail.

11. Further, in the present matter applicant is in jail since 28.01.2026 i.e. for the last more than two and half months.

12. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

13. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

14. Let the applicant - **Anas** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer

or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

15. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

16. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

April 20, 2026

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