



2026:AHC:56582

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1859 of 2026

Zahid Ansari

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s) : Manvendra Narain Pathak
Counsel for Respondent(s) : G.A.

Court No. - 50

HON'BLE SHEKHAR KUMAR YADAV, J.

1. Heard learned counsel for the appellant, learned A.G.A. for the State and perused the record. As per office report that the notice has been served upon the opposite party no.2.

2. This Criminal appeal has been filed by the learned counsel for the appellant under Section 14-A (2) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting aside the impugned order dated 13.1.2026 passed by Special Judge, SC/ST (P.A.) Act, Deoria in bail application no. 2339 of 2025 and to release him in Case Crime No. 326 of 2025, under Sections 115 (2), 118 (1), 352, 110, 309 (6) B.N.S. and Section 3(2)(V) of SC/ST Act, Police Station- Tarkulwa, District Deoria.

3.As per the prosecution case, there is allegation against the appellant that the appellant along with other co-accused have committed marpeet with the informant/injured by the iron rod.

4. Learned counsel for the appellant submits that the appellant-applicant has been falsely implicated in the present case. The appellant has not committed the alleged offence. The appellant has no concern with the alleged incident. False allegation has been made against the appellant. There is no cogent evidence against the appellant. The FIR of the alleged incident has been lodged on 5.10.2025 with the delay of thirty four days showing the incident of 10.9.2025. There is no satisfactory explanation of this delay in lodging the present FIR. There is general allegation against

all the accused persons. No specific role has been assigned to any accused persons. No incriminating article has been recovered from the possession of the appellant or on his pointing out. Till date no charge has been framed in this case against the appellant. It has further been submitted that co-accused Teni Prasad @ Vijay Kumar has already been granted bail by another bench of this Court vide order dated 23.2.2026 in Criminal Misc. Bail Application no. 6634 of 2026, therefore the appellant is also entitled for bail. The appellant is in jail since 17.11.2025.

5. On the other hand, learned AGA has opposed the prayer for bail.

6. I have considered the rival submissions made by the learned counsel for the parties and have gone through the entire record including the impugned order carefully.

7. Having regard to the facts and circumstances of the case and keeping in view the nature of the offence, evidence, complicity of the accused, severity of punishment, the Court is of the opinion that the appellant has made out a case for bail.

8. Accordingly, the appeal is allowed and the impugned order rejecting the bail application of the appellant is set-aside.

9. Let the appellant **Zahid Ansari**, involved in the aforesaid case crime number be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The appellant will cooperate with the prosecution during trial.

(ii) The appellant will not tamper with the evidence during trial.

(iii) The appellant will not pressurize/intimidate the prosecution witness(es).

(iv) The appellant shall not commit an offence.

(v) The appellant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.

(vi) The appellant shall remain present before the trial court on each date fixed, either personally or through counsel.

(vii) The appellant will not seek any adjournment on the dates fixed for evidence when the witnesses are present in court.

(viii) The appellant shall remain present, in person, before the trial court on the dates fixed for recording of statement under Section 313 Cr.P.C.

10. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before the competent Court.

(Shekhar Kumar Yadav,J.)

March 19, 2026

A.