



2026:AHC:55167

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 8507 of 2026

Ravi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Jitendra Prasad Mishra
Counsel for Opposite Party(s) : Ch. Dil Nisar, G.A., Rahul Gaur,
Viresh Kumar Yadav

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri Rahul Gaur, counsel for the informant and Sri N.K.Sharma, learned AGA for the State-respondent.
2. The present bail application under Section 483 BNSS has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 36 of 2025, under Sections 191(2) and 107 BNS, Police Station Deoband, District Saharanpur during the pendency of trial.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. Initially, the first information report was lodged under Sections 191(2) and 103(1) BNS. During the course of investigation, and particularly in the light of the statement of loco pilot as well as whats-app message sent by the loco pilot to the Station Master, Deoband, section 103(1) BNS was deleted and Section 107 BNS was added. The statement of loco pilot indicates that the deceased had committed suicide by coming in front of the train. According to the postmortem report, the cause of death is '*shock and haemorrhage as a result of ante mortem injuries*', which is consistent with a railway run-over case. Further, as per the first information report and the material collected during investigation, the essential ingredients to constitute the offence under Section 107 B.N.S. are not made out. The applicant, in no manner, abetted the commission of suicide by the deceased. The applicant is in jail since 16.01.2026 having no criminal history and in case he is enlarged on bail, he

will not misuse the said liberty.

4. Learned AGA and the counsel for the informant have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that as per the allegations in the first information report and the material collected during investigation, the essential ingredients to constitute the offence under Section 107 B.N.S. are not made out. The applicant has no criminal antecedents. Further, the applicant has remained confined for more than two months and after submission of the charge-sheet there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant **Ravi**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence; and,

(iii) shall not pressurize the prosecution witnesses.

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

(Vivek Varma,J.)

March 18, 2026

Lbm/-