



2026:AHC:56698

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 12613 of 2025

Jitendra Alias Gunga

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sudhakar Singh
Counsel for Opposite Party(s)	:	G.A., Vidya Dhar Yadav

Court No. - 66
(Sr. No.36 out of 116)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Sudhakar Singh, learned counsel for the applicant, Sri Vidya Dhar Yadav, learned counsel for the informant as well as Sri Jai Kishan Chaurasia, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.254 of 2024, under Sections 103(1) BNS, Police Station Baniyather, District Sambhal, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The applicant is not named in the FIR. The applicant himself is a deaf and dumb person and he has nothing to do with the said offence. He has simply been made an accused on account of recovery of certain clothes of the deceased person, which were found bloodstained.
5. Learned counsel for the applicant has further argued that the applicant has been made an accused on the basis of suspicion only. There is no last seen evidence. The FIR itself is delayed as no time of offence is mentioned in it. The applicant has no criminal history and is in jail since 8.10.2024. He undertakes to cooperate with the trial and not misuse the liberty of bail.
6. Per contra, learned counsel for the informant and learned State Law

Officer have vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that applicant is not named in the FIR and there is no evidence of last seen, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Jitendra Alias Gunga**, be released on bail on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

March 19, 2026

Vikas Verma