



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 4276 of 2025

Shri Krishna Alias Krishna Kumar And 3 Others

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s) : Arvind Kumar, Rahul Shekhar,
Shivanand Mishra

Counsel for Respondent(s) : Amit Kumar Singh, G.A., Km Astha

Court No. - 70

HON'BLE HARVIR SINGH, J.

Order on Application for suspension of sentence

1. Heard learned counsel for the appellants-applicants, namely, Devendra Kumar, Anuj and Sachin and learned A.G.A. for the State.
2. Learned counsel for the applicants submitted that punishment of four years with rigorous imprisonment was awarded to the applicants and as per the custody certificate, they have incarcerated in jail nearly about 11 months till date. Learned counsel for the appellants / applicants further submitted that applicants have no criminal history and disposal of appeal will take time and accused-appellants undertake that they will not misuse the liberty of bail and shall remain present before the Court as and when required and they will cooperate with the hearing of appeal.
3. Per contra, learned A.G.A. vehemently opposed the prayer made in the instant application, but did not dispute the above facts submitted by learned counsel for the appellants.
4. Perusal of supplementary affidavit dated 15.12.2025 wherein custody certificates issued by Senior Superintendent of Jail, Central Jail, Etawah reveals that the appellants namely, Devendra Kumar, Anuj and Sachin, has been placed on record. However during arguments on earlier occasion, it was impressed upon that the custody certificate has been issued in respect of all the appellants.
5. Considering the rival submissions made by learned counsel for the

parties, as well as considering the unlikelihood of early hearing of appeal due to heavy pendency, punishment awarded and custody period , as well as applicants have no criminal history, particularly the fact that the custody certificate has been issued in respect of applicants namely, Devendra Kumar, Anuj and Sachin, at this stage. Without commenting on the merits of the case, I find it a fit case for grant of bail to appellants namely, Devendra Kumar, Anuj and Sachin,, during pendency of the appeal. Rest of the other grounds shall be subject matter of final adjudication of this appeal.

6. Let the applicant-appellants namely, **Devendra Kumar, Anuj and Sachin**, be released on bail, on their furnishing personal bond and two sureties in the like amount to the satisfaction of court concerned in Sessions Trial No. 1396 of 2021 [State vs. Shri Krishna Alias Krishna Kumar and Others], arising out of Case Crime No. 157 of 2020, under Sections-323, 504 and 308 IPC, P.S. Chaubiya, District-Etawah. So far as the fine imposed by the trial court in respect of appellants is concerned, the entire fine shall be deposited.

7. As soon as personal bonds and surety bonds are furnished, photocopies of the same are directed to be transmitted to this Court forthwith by court concerned to be kept on record of this appeal.

Order on appeal.

8. List on 15.4.2026.

March 24, 2026
Gss

(Harvir Singh,J.)