



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL APPEAL No. - 7153 of 2025**

Munendra Singh And 2 Others

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

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Counsel for Appellant(s) : Nishant Dwivedi  
Counsel for Respondent(s) : G.A.

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**Along with :**

**1. Criminal Appeal No. 8131 of 2025:**

Naval Singh and 3 others

Versus

State of U.P.

**2. Criminal Appeal No. 8163 of 2025:**

Upendra Singh and another

Versus

State of U.P.

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**Court No. - 42**

**HON'BLE SIDDHARTHA VARMA, J.**

**HON'BLE JAI KRISHNA UPADHYAY, J.**

**Criminal Misc. Bail Application (Suspension of Sentence) No. 1 of 2025**  
**(Criminal Appeal No. 7153 of 2025)**

**Criminal Misc. Bail Application (Suspension of Sentence) No. 1 of 2025**  
**(Criminal Appeal No. 8131 of 2025)**

1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. Both the applications have been filed under Section 430(1) of B.N.S.S. to suspend the sentence of conviction and to release the applicants on bail in Session Trial No. 330 of 2017 (State of U.P. versus Naval Singh and others) arising out of Case Crime No. 99 of 2014, under Sections 147, 148, 302/149 of I.P.C., Police Station - Nasirpur, District - Firozabad.

3. Contention of the learned counsel for the applicants is that the applicants are innocent and have been falsely implicated. It has been submitted by the

learned counsel for the applicants that the case of the prosecution was that in connection with a small Shiv Temple, dispute had occurred at around 01:00 PM whereby Ram Singh who was going towards the temple was accosted by Naval Singh, Ram Ratan, Randhaur Singh, Upendra Singh, Munendra Singh, Dharendra Singh, Narendra Singh, Surendra Singh, Ashok and Kishor. It has been stated that all of them had assembled at the place where Ram Singh was going to get the temple renovated. They were armed with *lathis* and *dandas*. It has further been stated that a few of them also had country made pistols. However, in the F.I.R. it had been stated that it was Upendra Singh And Surendra Singh who had aimed at Ram Singh with their country made pistols and because of the shot fired from the country made pistols, Ram Singh died at the spot. The other co-accused persons, it was stated, were carrying *lathis* and *dandas*.

4. Learned counsel for the applicants submits that to recognize all the applicants in a crowd was very difficult and therefore false implication cannot be ruled out. It has further been stated that the applicants were on bail during trial and they never misused the liberty of bail. The applicants have no other criminal history.

5. In rebuttal, Sri R.C. Srivastava, learned A.G.A. has opposed the bail application but he could not deny the fact that during trial the applicants have never misused the liberty of bail and that the applicants have no criminal history to their credit.

6. We have perused the judgment of the court below with the assistance of the learned counsel for the parties. We are of the view that the applicants have been assigned roles of hitting with only *lathis* and *dandas* and that no specific role of having killed the deceased had been assigned to them; the applicants have no criminal history to their credit and that they have never misused the liberty of bail during trial, we are of the opinion that the sentence awarded by the trial court be kept in abeyance in respect of the applicant and they be enlarged on bail.

7. Consequently, the prayer for bail is granted. The bail applications are **allowed**.

8. Without expressing any opinion on the merit of the case, let the

applicants-**Munendra Singh, Dhirendra Singh, Narendra Singh, Naval Singh, Randhaur Singh @ Prithviraj, Ashok Singh and Kishor** convicted and sentenced in the aforesaid case, be released on bail on their furnishing personal bonds with two sureties each in the like amount to the satisfaction of the court concerned.

9. The realization of fine shall remain stayed till the decision of the appeal.

10. On acceptance of bail bond and personal bond, the lower court shall transmit photostat copies thereof to this Court for being kept on the record.

11. Office to inform the concerned Jail Superintendent through Chief Judicial Magistrate concerned to ensure compliance of the order.

**Order on Appeal**

12. Order sheet indicates that Trial Court Record has been received.

13. Office to prepare paper book. Learned counsel for the parties may obtain their copies of the paper book from the office.

14. List this appeal on 19.11.2026 for final hearing.

**(Jai Krishna Upadhyay,J.) (Siddhartha Varma,J.)**

**April 16, 2026**

M.S. Ansari