



2025:AHC:225377

**HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL APPEAL No. - 9206 of 2025**

Sonu

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s) : Agni Pal Singh, Pratima Singh
Counsel for Respondent(s) : G.A.

Court No. - 51

(SL No.459)

HON'BLE ANISH KUMAR GUPTA, J.

Order on Criminal Misc. Application under Section - 430(1) BNSS

1. This application has been filed on behalf of the appellant for suspension of sentence and grant of bail during pendency of this appeal.
2. Heard learned counsel for the appellant, learned A.G.A. for the State and perused the record.
3. The appellant has been convicted by the Trial Court under Section - 307, 504, 506 I.P.C. and the maximum sentence awarded to the appellant is ten years rigorous imprisonment along with fine.
4. Learned counsel for the appellant submits that the co-accused- Uday has also been granted bail by the Co-ordinate Bench in **Criminal Appeal No. 6797 of 2025 (Uday vs. State of U.P.)**. Learned counsel for the appellant submitted that the trial court has not appreciated evidence in correct perspective and that there is no credible evidence against the appellant. In the alleged incident, two persons have sustained injuries. It was submitted that injury of injured Kailash is superficial and merely his face was touched by alleged fire-arm injury. Referring to the statement of concerned doctor, it was submitted that the injuries sustained by injured Veeru @ Virendra Kumar was not caused by firearm and he has merely sustained a lacerated wound. It is further submitted that both the injured persons have assigned the role of firing to co-accused Arvind and no

specific role has been assigned to the appellant. Referring to the statements of witnesses and facts of the matter, it was submitted that there is no credible evidence against the appellant.

5. It is further submitted that during trial appellant was on bail and after conviction he is in jail. As per detention certificate appellant has already undergone the detention of more than eleven months. Lastly, it was submitted that in view of huge pendency of cases, there is no possibility of early hearing in the appeal and thus, in view of the aforesaid facts and circumstances of the case, the appellant may be granted bail during pendency of appeal.

6. Learned A.G.A. has opposed the application and submitted that conviction of the appellant is based on evidence and no case for bail is made out but it could not be disputed that role of firing at injured has been assigned to co-accused Arvind.

7. Considering submissions of learned counsel for the parties, nature of evidence and all attending facts and circumstances of the case, without expressing any opinion on the merits, a case for grant of bail is made out. Hence, the bail application is *allowed*. However, the application for suspension of sentence is hereby rejected.

8. Let the appellant - **Sonu** convicted and sentenced in S.T. No. 112 of 2014, arising out of Case Crime No. 465 of 2014, under Sections - 307, 504, 506 I.P.C., Police Station - Rath, District - Hamirpur, be released on bail on his furnishing a personal bond with two sureties (one should be of his family member) each in the like amount to the satisfaction of the court concerned.

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

10. Realization of 50% of the amount of fine imposed by the trial court shall remain stayed during the pendency of this appeal.

Order on Memo of Appeal :-

Connect this appeal along with *Criminal Appeal No. 6797 of 2025 (Uday vs. State of U.P.)* and list this matter in due course before the appropriate Bench.

(Anish Kumar Gupta,J.)

December 15, 2025

Shubham Arya