



2026:AHC:112626

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 35427 of 2025

Aazad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kushagra Srivastava, Manoj Kumar
Tripathi, Satya Prakash Singh,
Shahrukh

Counsel for Opposite Party(s) : Aftab Khan, G.A., Pragya Pandey

Court No. - 65

(Sr. No.107 out of 269)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Manoj Kumar Tripathi, learned counsel for the applicant, Ms. Rabiya Barry, 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.427 of 2025, under Sections 85, 64(1), 351(2), 115(2) BNS, Police Station Hapur Nagar, District Hapur, 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 FIR is delayed and there is no explanation of the said delay caused. The medical examination of the victim was conducted on the date of institution of FIR, wherein healed bite marks over both shoulders, redness and healed scratch marks over breast were observed by the doctor concerned.
5. It is further argued by learned counsel for the applicant that the medical examination was conducted after 35 days of the incident, as such, the presence of redness indicates that the injuries have been manufactured by the victim. The applicant is the brother-in-law of the victim. It is a clear-cut case of false implication. The applicant has no criminal history and is in jail since

25.8.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. Learned State Law Officer and learned counsel for the informant 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 delay in institution of FIR and the medical report of the victim, which was conducted after 35 days of the incident, 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- **Aazad**, 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.)

May 14, 2026
Vikas Verma