



2026:AHC:57163

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 38470 of 2025

Kamal Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Abhilasha Singh, Ashutosh Yadav, Mahenam Haroon, Rajesh Kumar Yadav
Counsel for Opposite Party(s)	: G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri Neeraj Kumar Sharma, learned A.G.A. for the State-opposite party.
2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 345 of 2023, under Sections 302, 420, 201, 475, 120B I.P.C., Police Station Rehra, District Amroha during the pendency of the trial.
3. Learned counsel for the applicant submits that the applicant was not named in the first information report and has been falsely implicated in the present case. During the course of investigation, the informant himself was made accused and was arrayed as an accused by the Investigating Officer. Subsequently, in the second statement of the informant while in the police custody the name of the applicant surfaced. It is contended that the said statement, insofar as it implicates the applicant, is unreliable. The applicant has no nexus with the alleged incident. The policy issued by the HDFC Ergo General Insurance Company does not reflect the applicant as a nominee, in the event of untoward incident, thereby negating the alleged motive sought to be attributed to him. It is next contended that the informant- Vedprakash has been granted bail by this Court vide order dated 17.11.2025 passed in Criminal Misc. Bail Application No. 39267 of 2025, Vedprakash v. State of U.P. The case of the applicant is on better footing than that of Vedprakash. Criminal history of the applicant has been explained in Paragraph-28 of the affidavit filed in support of the bail application. The applicant is in jail since 11.05.2025 and if he is released on bail, he will not misuse the said liberty.

4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that the applicant was not named in the first information report. During the course of investigation, the informant himself was made accused and was arrayed as an accused by the Investigating Officer. Subsequently, in the second statement of the informant while in the police custody the name of the applicant surfaced. The policy issued by the HDFC Ergo General Insurance Company does not reflect the applicant as a nominee, in the event of untoward incident. The informant- Vedprakash has been granted bail by this Court. Moreover, the applicant has remained confined for more than ten months and after submission of the charge-sheet there is no hope of early conclusion of trial, and no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, therefore, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- Kamal Singh, involved in the aforesaid case, be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned subject to the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence; and,
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

March 19, 2026
SKT/-

(Vivek Varma,J.)