



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2024
(@ Special Leave Petition (Crl.) No. 4260/2024)

ANKIT SINGH SENGAR . . . APPELLANT(S)
VERSUS

THE STATE OF UTTAR PRADESH . . . RESPONDENT(S)

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 13.12.2023 passed by the High Court of Judicature at Allahabad in Criminal Miscellaneous Bail Application No. 18242 of 2023.

The appellant herein has been booked for the crime registered pursuant to FIR No. 100/2019 dated 25.02.2019 lodged with Police Station, Shivpur, Varanasi with respect to offences punishable under Sections 147, 148, 149, 302 r/w 120B, 34 of the Indian Penal Code, 1860 and Section 7 of Criminal Law Amendment Act.

An application seeking regular bail having been rejected by the High Court vide impugned order dated 13.12.2023, the appellant has preferred the instant appeal.

Contd..

This Court vide its order dated 01.04.2024, issued notice in the instant matter.

Heard learned counsel for the appellant in support of the petition and learned counsel for the State and perused the material on record. The appellant has been in custody for approximately 5 years.

Learned counsel for the appellant submitted that except the appellant all other accused are already on bail; that there are about 16 witnesses and the eye-witnesses have not attributed any role to the appellant. He further submitted that the entire episode occurred on account of a dispute which arose in a freshers' party in the College and there was no motive or intention to cause death to the deceased as such. He, therefore, submitted that relief may be granted to the appellant.

Per contra, learned counsel for the respondent/State with reference to his counter affidavit contended that the offences alleged are of serious nature and, therefore, the appellant may not be granted the relief.

Considering the facts on record, in our view, the case for bail is made out.

Contd..

We, therefore, allow this appeal and direct as under:

"The appellant shall be produced before the concerned trial Court as early as possible and the trial Court shall release him on bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings arising out of FIR No. 100/2019 mentioned above."

It is directed that the appellant shall extend complete cooperation in the trial of the instant case. The appellant shall not misuse his liberty in any manner.

Any infraction of the conditions shall entail cancellation of bail granted to the appellant.

With these observations, the appeal is allowed.

.....J.
[B.V. NAGARATHNA]

NEW DELHI
MAY 03, 2024

.....J.
[AUGUSTINE GEORGE MASIH]

ITEM NO.4

COURT NO.12
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION II/

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4260/2024
(Arising out of impugned final judgment and order dated 13-12-2023
in CRMBA No. 18242/2023 passed by the High Court Of Judicature at
Allahabad)

ANKIT SINGH SENGAR

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(FOR ADMISSION and IA No.71502/2024-EXEMPTION FROM FILING O.T.)

Date : 03-05-2024 This petition was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. Gaurav Srivastava, Adv.
Mr. Shaurya Krishna, Adv.
Mr. Amit Garg, Adv.
Mr. Shubham Vyas, Adv.
Gaurav, AOR

For Respondent(s) Mr. Ajay Kumar Misra, A.G. U.P, Sr. Adv.
Mr. Garvesh Kabra, AOR
Mr. Abhishek Jaju, Adv.
Mr. Avanish Deshpande, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The present Appeal is allowed in terms of the signed
order.

The appellant shall be produced before the concerned
trial Court as early as possible and the trial Court
shall release him on bail, subject to such conditions
as it may deem appropriate to impose to ensure his
presence in the proceedings arising out of FIR No.
100/2019.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(MALEKAR NAGARAJ)
COURT MASTER (NSH)

(signed order is placed on the file)