



2025:AHC:175126

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33615 of 2025

Bajnath Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ravindra Prakash Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ravindra Prakash Srivastava, learned counsel for the applicant and Sri Amit Kumar Shukla, learned counsel for the informant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and perused the record.
3. Applicant seeks bail in Case Crime No. 156 of 2011, under Sections 307, 323, 504, 506 of I.P.C., Police Station Gaur, District Basti, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that similarly placed co-accused person, Manish Singh has already been enlarged on bail by the same Bench of this Court vide order dated 25.09.2025 passed in Criminal Misc. Bail Application No. 33300 of 2025. It is further submitted that since the case of the applicant is at par to the co-accused, who has already been enlarged on bail, he is also entitled to be enlarged on bail on the ground of parity. The applicant is languishing in jail since 26.08.2025, having no criminal history. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.
5. Learned A.G.A. has opposed the bail application but has submitted that as per D.C.R.B report, there is no criminal history of the applicant. However, learned counsel for the informant has opposed the bail application on the ground that there is a criminal history of one case assigned to the applicant as Case Crime No.20 of 2011, Police Station

Kandaur, District-Gonda, as such he is not entitled for bail.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, evidence on record, pending trial and without expressing any opinion on the merits of the case, the Court is of the view that the applicant is entitled to be released on bail. The bail application is **allowed** on the ground of parity.

7. Let the applicant- **Bajnath Singh**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- i) The applicant shall not tamper with the evidence during trial.
- ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- iii) The applicant shall appear before the trial court on the date fixed.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

September 26, 2025

Sumit S