



2025:AHC:174606

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33450 of 2025

Aman Awana

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sr. Advocate, Vikas Chandra
Srivastava

Counsel for Opposite Party(s) : G.A.

Court No. - 67

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri V.P. Srivastava, learned Senior Counsel assisted by Sri Vikas Chandra Srivastava, learned counsel for the applicant, Sri Ravindra Kumar Yadav, learned counsel for the informant, Sri Amit Kumar, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.243 of 2025, under Sections 109, 351(2), 352, 191(2), 115(2) B.N.S., 2023, Police Station Noida Sector 24 (Commissionerate), District Gautambudh Nagar, during the pendency of trial.

4. Learned Senior Counsel for the applicant has claimed parity with the co-accused person Akash Awana who has been enlarged on bail by Co-ordinate Bench of this Court vide order dated 22.09.2025 passed in Criminal Misc. Bail Application No.24161 of 2025. The only disparity with the applicant is that he is stated to be the driver of the said Thar vehicle which had hit the injured person at the initiation of the crime.

5. Learned Senior Counsel for the applicant has further argued that there is cross version to the instant case as FIR No.296 of 2025 has been instituted from the side of the applicant. It is true that no person had sustained injuries from the side of the applicant, but the applicant has nothing to do with the said offence. There is no criminal history of the applicant. The applicant is

languishing in jail since 05.06.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the cross version has been falsely created by the applicant. There is no injury sustained by any person from the side of the applicant and he being the main accused person is not entitled for bail.

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 fact that there is cross-version to the instant case and the case of applicant being at par with co-accused person Akash Awana, 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- **Aman Awana**, 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 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.

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

10. 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
(Ravi Kant)