



2026:AHC:87038

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9813 of 2026

Vikas Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rajeev Kumar Singh Parmar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Rajeev Kumar Singh Parmar, learned counsel for the applicant, Sri Rakesh Kumar Mishra, learned A.G.A. for the State and perused the record.
2. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 400 of 2025, under Sections 103(1) BNS, Police Station- Kamalganj, District Farrukhabad.
3. As per prosecution story, on 05.12.2025 at 8.00 a.m. deceased went to attend the feast organised at the house of one Ram Avatar son of Rakesh wherein scuffling took place between the co-accused Golu and deceased thereafter co-accused Golu brought licensee double barrel gun from his house and exhorted the present applicant to fire upon the deceased. Thereafter the present applicant from double barrel gun of Golu fired upon the deceased which resulted into his death. Several eye witnesses also supported the aforesaid incident of firing by present applicant upon the deceased. Thereafter such double barrel gun was also recovered from the house of co-accused Golu.
4. Learned counsel for the applicant submitted that the applicant has been falsely implicated because it was celebratory firing which accidentally hit the deceased. It is further submitted that the applicant is 19 years old boy having no criminal history. The applicant is languishing in jail since 10.12.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.
5. On the other hand, learned counsel for the first informant and learned A.G.A. for the State vehemently opposed the prayer for bail and submitted that there is specific allegation against the applicant for firing upon the deceased with double barrel gun of co-accused, who is grand father of the applicant which was subsequently recovered from the house of Golu and aforesaid incident was witnessed by several persons, therefore, the applicant is not entitled to be released on bail.
6. Considering the submissions of learned counsel for the parties and taking into

account the fact that there is specific allegation against the applicant for firing upon the deceased and several witnesses have seen the the applicant firing upon the deceased which resulted in his death; coupled with the fact that fire arm was also recovered from the house of co-accused Golu, therefore, this Court is not inclined to grant bail to the applicant, at this stage.

7. Accordingly, the present bail application is **rejected**.

8. However, considering the submission of learned counsel for the applicant that the applicant is student of B. Pharma and his sixth semester exam is scheduled from 19.05.2026 to 08.06.2026. Therefore, jail authority shall provide facilities for him to appear in the said examination.

April 20, 2026
A.Kr.

(Arun Kumar Singh Deshwal,J.)