



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 14388 of 2026

Amit Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Atul Kumar Yadav
Counsel for Opposite Party(s)	: G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Atul Kumar Yadav, learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 477 of 2025, under Sections 103(1), 115(2), 3(5) B.N.S., Police Station-Phase-3 Noida, District-Gautam Buddha Nagar, during the pendency of the trial.
3. Contention of learned counsel for the applicant is that in the FIR, allegation has been made that the first informant has apprehension that the present applicant along with the co-accused has killed his brother Rahul. During investigation, statements of eye-witnesses were also recorded wherein they made specific allegation against the applicant and co-accused, stating that on the date of incident, the brother of the informant, Rahul, in an inebriated condition, came to the room of the present applicant and co-accused. Thereafter, after a brief scuffle, the applicant and co-accused had cut the neck of the deceased, which resulted in his death. Subsequently, on the pointing out of the applicant, a bloodstained knife is alleged to have been recovered. It is further submitted that the alleged recovery of the bloodstained knife is absolutely false. There was no eye-witness of the aforesaid recovery. It is further submitted that the applicant has no criminal history. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant is a law abiding citizen and he is

languishing in jail since 01.11.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail and submitted that though initially the first informant expressed apprehension about the involvement of the present applicant and co-accused in committing the murder of the deceased, subsequently several eye-witnesses came forward and stated that the present applicant and co-accused had murdered the deceased by cutting his neck with a knife. It is further submitted that thereafter a bloodstained knife was also recovered on the pointing out of the applicant and the recovery was duly videographed as per the procedure prescribed under Section 105 of B.N.S.S. Therefore, the applicant is not entitled to be released on bail.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties, and keeping in view the nature of offence, evidence, and complicity of the accused, and taking into account the fact that there are eye-witnesses of the incident, followed by the recovery of a bloodstained knife on the pointing out of the applicant, this Court is not inclined to release the applicant on bail.

6. Accordingly, the bail application filed on behalf of the applicant is hereby **rejected**.

(Arun Kumar Singh Deshwal,J.)

May 6, 2026

SA