



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15121 of 2026

Shadab

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohd.Sartaz Ahmad Siddiqui, Riyaz
Ahmad Siddiqui, Shan Mohammad Ali
Counsel for Opposite Party(s) : G.A.

Court No. - 65
(Sl. No. 26 out of 205)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Riyaz Ahmad Siddiqui, learned counsel for the applicant as well as Sri J.K. Chaurasia, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 90 of 2025, under Sections 109(1), 352, 3(5) BNS and 4/5 Arms Act, Police Station Afzalgarh, District Bijnor, during the pendency of trial.

ARGUMENTS ON BEHALF OF APPLICANT:

4. The applicant is absolutely innocent and has been falsely implicated in the present case. It is true that applicant is alleged to be the main accused person but both, the informant and the injured person, have been examined during trial as PW-1 and PW-2 respectively and they have not supported the prosecution story and have completely resiled from their earlier statements and have been cross-examined by the public prosecutor after declaring them hostile. There is no likelihood of conviction of the applicant in the present case. The fundamental rights of the applicant as enshrined in Article 21 of the Constitution of India stand violated.
5. There is no criminal history of the applicant. The applicant is languishing in jail since 7.4.2025 and he is ready to cooperate with trial. In case, the

applicant is released on bail, he will not misuse the liberty of bail.

ARGUMENTS ON BEHALF OF STATE/INFORMANT:

6. Learned State Law officer opposed the bail application but could not dispute the aforesaid submissions of learned counsel for the applicant.

CONCLUSION:

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 the witnesses have turned hostile, and without expressing any opinion on the merits of the case, 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- **Shadab**, 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 verification of sureties, with the condition that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

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.)

May 5, 2026

Shalini