



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15252 of 2026

Shiva Tyagi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajeev Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Rajeev Upadhyay, learned counsel for the applicant, Sri Ramkumar Verma, 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. 55 of 2026, under Sections 103(1) B.N.S.S. and 3/25/27 Arms Act, Police Station-Hastinapur, District-Meerut, during the pendency of the trial.
3. Contention of learned counsel for the applicant is that though allegation has been made against the present applicant that he shot dead his aunt (deceased). It is further submitted that the two eye-witnesses came forward and stated that after hearing the sound of firing and when they came to the house of the deceased, they found that the applicant went toward the road with fast steps from the house. Subsequently, these two witnesses have also given an affidavit to the S.P. stating that they had not seen any incident or the applicant. It is further submitted that there is no eye-witness of the incident in question and his confession to the police has been incorrectly recorded, though the applicant never went to the police station to confess the same. Therefore, the applicant is entitled to be released on bail. The applicant is a law-abiding citizen and he is languishing in jail since 05.03.2026. 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 after committing the murder of the deceased, the

applicant immediately left the house for the police station and was also seen by the two eye-witnesses while leaving the place of incident. It is further submitted that after reaching the police station, he handed over the firearm as well as cartridge to the police which was used in the incident, and the arrest of the applicant was also shown by the police on the basis of his confession as well as handing over the weapon in police station. 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 the applicant was alone in the house of the deceased and immediately after the incident he left the house, which was seen by the two eye-witnesses, and also his confession to the police at the police station and handing over the weapon used in committing the murder of the deceased, 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