2026:AHC:187503

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 28056 of 2026

Mangal Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Abhishek Narayan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

Supplementary affidavit filed on behalf of applicant is taken on record.

Heard learned counsel for the applicant and learned AGA for the State-respondent and perused the record of the case.

The instant application has been filed seeking release of the applicant on bail in Case Crime No. 34 of 2026, under Sections 305(e), 317(2) BNS, Police Station- Girar, District- Lalitpur, during pendency of the trial in the court concerned.

Learned counsel for the applicant submitted that the applicant is absolutely innocent and has been falsely implicated in the present case due to some ulterior motive. The present FIR has been lodged by Head Constable Prakash Chand. It is alleged in the FIR that the applicant, who was posted as Home Guard, has allegedly stolen the service revolver of the informant. It is next submitted that applicant is having no concern with the allegations levelled against him and he has not committed any offence as alleged by prosecution. It is next submitted that a false recovery has been shown on the pointing out of the applicant. There is no independent witness of the alleged recovery. Criminal history of the applicant has been explained in the supplementary affidavit. The applicant is languishing in jail since 17.6.2026. It is also submitted that the applicant undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

The prayer for bail has been vehemently opposed by learned A.G.A.

Considering the facts and circumstances of the case, perusing the record, evidence and also considering the nature of allegations, arguments advanced by the learned counsel for the parties, this Court is of the view that the applicant is entitled to be enlarged on bail during the pendency of

the trial.

Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

Let applicant, **Mangal Singh** be released on bail in the aforesaid case on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

(i). The applicant will not tamper with the evidence during the trial.

(ii). The applicant will not pressurize/ intimidate the prosecution witness.

(iii). The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv). The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v). The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

It is further directed that the identity, status and residence proof of the sureties be verified by the authorities concerned before they are accepted.

In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Jai Prakash Tiwari,J.)

September 8, 2026
KK Patel

Digitally signed by :-
KRISHN KANT PATEL
High Court of Judicature at Allahabad