



2026:AHC:188899

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31926 of 2026

Noorhasan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Raghvendra Prakash, Sr. Advocate
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Two supplementary affidavits filed by learned counsel for the applicant are taken on record.
2. Heard Sri Gaurav Kakkar, learned Senior Advocate assisted by Sri Raghvendra Prakash, learned counsel for the applicant, Ms. Versha Singh, learned counsel for the informant as well as Sri R.P. Patel, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 0035 of 2026, under Sections 103(1), 238, 61(2), 3(5) BNS, Police Station Ganj, District Rampur, 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. The FIR is delayed by about eight hours and applicant is not named in the FIR. The informant Dan Singh, has been made an accused subsequently in the statement of the eye-witnesses. It is true that applicant was in regular conversation with the co-accused person Dan Singh but the said conversation cannot leave an inference that applicant was involved in the said offence. There is no evidence, whatsoever, of applicant having hatched a conspiracy to get the offence committed.
5. The truth is that dumper of the applicant hit with the car of the deceased person accidentally, whereby the car caught fire due to the fuel i.e. CNG

used in the said car. The applicant and co-accused person rushed the deceased person to the hospital, which stands established by the statement of the doctors concerned. The prime accused, if any, may be Dan Singh only. The applicant admits that he was in regular conversation with the co-accused person Dan Singh being his friend. Even the CDR report indicates the conversations but does not indicate the complicity of the applicant, as there is no conversation details or voice test report to indicate the said allegations.

6. There is no criminal history of the applicant. The applicant is languishing in jail since 6.4.2026 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:

7. The applicant was hand in glove with the co-accused person, Dan Singh, which is evident from the CDR reports and also from the inference drawn by the investigating officer, which has been filed at page no. 121, whereby it is mentioned that applicant and co-accused person Dan Singh had thirty-three conversations on the date of the incident i.e. 25.2.2026 and it is also mentioned in it that applicant did not reach the said Sanjivni Hospital, as is evident from the CDR report, while the informant and other persons have stated that the applicant and other co-accused persons had rushed the deceased person to the hospital, as such, applicant is not entitled for bail.

CONCLUSION:

8. 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 applicant has simply been nominated on the basis of CDR report; that as a bonafide act, he rushed the deceased to hospital with the other persons, 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**.

9. Let the applicant- **Noorhasan**, 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.

10. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

11. 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.)

September 9, 2026

Shalini