



2026:AHC:187996

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31908 of 2026

Pooran Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ajay Kumar Pathak
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Ajay Kumar Pathak, learned counsel for the applicant as well as Sri A.K. Mishra, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 102 of 2026, under Sections 103(1), 115(2), 352 BNS, Police Station Sasni, District Hathras, during the pendency of trial.

PROSECUTION STORY:

4. The applicant and the other co-accused persons are stated to have caught hold of the deceased person, while Yashveer is stated to have inflicted fatal injuries to the deceased by a sharp-edged weapon on 20.3.2026 at about 1.00 pm.

ARGUMENTS ON BEHALF OF APPLICANT:

5. The applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by more than four hours and there is no explanation of the said delay caused.

6. The statement of the informant indicates that the author of the injuries was only Yashveer, who hit the deceased with a sharp-edged weapon and the said sharp-edged weapon has also not been mentioned in the FIR. The post-

mortem report is not in consonance with the allegations made in the FIR. There are twelve injuries sustained by the deceased person and of those twelve injuries, there are six incised wounds and six other injuries are abrasions, contusions only. There is no explanation of the said injuries in the FIR but subsequently, to make the said post-mortem report fall in line with the prosecution story, the statement of the daughter of the deceased has been recorded, who has categorically stated that applicant and Ravendra Singh had assaulted the deceased person and caused multiple injuries to him as well as the said witness. The said statement is inconsistent with the contents of the FIR.

7. Either the informant is not an eye-witness or the eye-witness has been created subsequently. The injuries sustained by the said eye-witness are simple in nature, which may be manufactured. The primary accused mentioned in the FIR has been exonerated by the police, thus, the prosecution story goes topsy turvy, as such, applicant is entitled for bail.

8. There is no criminal history of the applicant. The applicant is languishing in jail since 21.3.2026 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:

9. The bail application has been opposed on the ground that the daughter of the deceased person has categorically nominated the applicant.

CONCLUSION:

10. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the material inconsistency in the statement of the eye-witness to the FIR and also the post-mortem report, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

11. Let the applicant- **Pooran Singh**, 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.

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

13. 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