



2026:AHC:55707

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36187 of 2025

Vishwas

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ajay Sengar, S Sengar
Counsel for Opposite Party(s)	:	G.A., Sushil Kumar

Court No. - 66
(Sr. No.96 out of 150)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard learned counsel for the applicant, learned counsel for the informant as well as learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.84 of 2025, under Sections 103(1), 238 BNS, Police Station Gohan, District Jalaun, during the pendency of trial.
4. As per prosecution story, the applicant alongwith co-accused person Ramkesh Kushwaha is stated to have taken away the father of the informant from his house on a motorcycle, and subsequently, the applicant, co-accused person Ramkesh Kushwaha and one Gulbasar are stated to have taken drinks, as such, the applicant and other accused persons slaughtered him on 22.6.2025 after 06:30 p.m.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about twenty one hours and there is no explanation of the said delay caused. The allegations against the applicant are to have carried the deceased person alongwith co-accused person Ramkesh Kushwaha. There is no other evidence against him.
6. Learned counsel for the applicant has further argued that the main evidence is against Ramkesh Kushwaha. There is no recovery from the

applicant whatsoever. The applicant did not carry any motive to commit the said offence. The deceased person had sustained a cut wound on his neck. The applicant has no criminal history and is in jail since 25.6.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

7. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

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 delay in institution of FIR and the allegations made against the applicant coupled by fact that there is no recovery from the applicant whatsoever, and without expressing any opinion on the merits of the case, *prima-facie* 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- **Vishwas**, be released on bail on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

10. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

March 18, 2026

Vikas Verma