



2026:AHC:208474

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 35573 of 2026

Nawab

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Raghubir Singh
Counsel for Opposite Party(s)	:	G.A., Satyendra Kumar Mishra

Court No. - 68
(Sr. No.79 out of 186)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Raghubir Singh, learned counsel for the applicant, Sri Satyendra Kumar Mishra, learned counsel for the informant, Sri Rajendra Prasad Singh, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 420/2026, U/S 281, 118(2), 191(2), 191(3), 109(1), 3(5), 115(2) B.N.S., P.S Baghpat, District- Baghpat during the pendency of trial.
4. As per prosecution story, the applicant, along with nine other named accused persons and three unknown persons, is stated to have assaulted and caused injuries to Abhishek on 29.06.2026 at about 10 p.m. Subsequently, the other co-accused persons are stated to have caused gunshot injuries to the other injured person, Jatin.
5. Learned counsel for the applicant has stated that the FIR is delayed by about 11 hours, and there is no explanation for the said delay. The injuries sustained by the injured persons do not match the prosecution story. Even the injured person Jatin has sustained only three injuries, of which two can be stated to be gunshot injuries. The other one does not mention the injury being a lacerated wound or a gunshot wound. Only blackening is mentioned. As far as the other injured person Abhishek is concerned, the injuries

sustained by him are simple in nature. He did not go for any treatment whatsoever, although he has cited the reason to be the grievous injuries sustained by his brother Jatin.

6. Learned counsel for the applicant has further stated that the first informant has shown himself to be an eye-witness, but he did not admit the injured person to the hospital, whereas the other injured person was admitted by a police constable, Rajendra Singh, as is mentioned in the injury report. Even otherwise, there are general and omnibus allegations against all the accused persons. The injuries sustained by the injured person Abhishek are six in number, while the accused persons nominated in the FIR are ten in number; as such, the applicant is entitled to bail, as no overt act has been assigned to him of having caused any particular injury to any person whatsoever. The criminal history of three cases assigned to the applicant stands explained. The applicant is in jail since 30.06.2026, and 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 on the ground that the applicant is named in the FIR and it was the foremost duty of the informant and the other injured person to rush the injured Jatin to the hospital for his treatment, as he had sustained a gunshot injury, which is an admitted fact. As such, the applicant is not entitled to bail.

8. Considering the facts and circumstances of the case, the submissions made by learned counsel for the parties, and the evidence on record, and taking into consideration the fact that the FIR is delayed by about 11 hours, and that there are general and omnibus allegations against all the accused persons, coupled with the fact that no overt act has been assigned to the applicant, 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- **Nawab**, be released on bail in the aforementioned case crime 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.)

October 6, 2026
(Ravi Kant)