



2026:AHC:211702

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 34004 of 2026

Surendra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Jitendra Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today is taken on record.
2. Heard Sri Jitendra Singh, learned counsel for the applicant, Sri Ram Deo Mani Tripathi, learned counsel for the informant, Mr Yogesh Mishra, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 146 of 2026, under Sections 324(4), 109(1), 115(2), 352, 351(3), 191(2), 191(3), 190 and 61(2) of BNS and Section 27 of Arms Act, P.S. Khutar, District Shahjahanpur, during the pendency of trial.
4. Allegations against the applicant are that applicant and other co accused persons caused injuries to four persons in all over the possession of agricultural field on 16.5.2026 at about 5 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 allegations are per-se false. The applicant has been assigned the role of having fire from the licensee riffle of his father, which did not hit the informant rather it hit one passerby. The said gun shot injury has been caused on the thigh which is not on vital part of the body or dangerous to life. The case of the applicants stands distinguished from the role of other accused persons. It is further

submitted that the FIR itself is delayed about more than six hours and there is no explanation of the said delay either. The applicant is in jail since 17.6.5.2026. The applicant has explained the criminal history.

6. Learned State Law Officer has vehemently opposed the bail application and submitted that four persons sustained injuries in the instant case and the applicant is the aggressor along with other co accused persons.

7. 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 the injury sustained by the injured is not on the vital part of the body or dangerous to life and the applicant has explained the criminal history 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**.

8. Let the applicant- Surendra, 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.

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

(Krishan Pahal,J.)

October 8, 2026

RavindraKSingh