



2026:AHJ:55952

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37052 of 2025

Riyazuddin

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajit Pratap Kushwaha, Amar Bahadur
Maurya, Danish, Dharendra Kumar
Srivastava, Rajiv Sisodia

Counsel for Opposite Party(s) : G.A.

Court No. - 66

(Sr. No.98 out of 150)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Amar Bahadur Maurya, learned counsel for the applicant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.31 of 2025, under Sections 103(1) BNS, Police Station Dhanapur, District Chandauli, during the pendency of trial.
4. 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 fifteen hours and there is no explanation of the said delay caused. Initially, the FIR was instituted against three accused persons and 3-4 unknown persons, but subsequently the informant gave an application before the police station the same day stating that it was the applicant who had taken the deceased with him and had committed his murder.
5. Learned counsel for the applicant has further argued that there is no evidence of applicant being visible near the place of occurrence. The applicant has been made an accused on the basis of suspicion only. The statement of the witnesses has been recorded belatedly after four days of the

incident. The applicant has no criminal history and is in jail since 3.4.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that applicant was visible near the place of occurrence in an inebriated state and had stated that he was over drunk, as such, was roaming about.

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 delay in institution of FIR coupled by the fact that applicant has been implicated on the basis of suspicion only and the statement of witnesses has been recorded after four days of the incident, 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- **Riyazuddin**, 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.

9. 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