



2026:AHC:208420

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 34468 of 2026

Jagat Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Two supplementary affidavits filed today are taken on record.

2. Heard Sri Ashish Tyagi, 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 of 2026, under Sections 281, 118(2), 191(2), 191(3), 109(1), 3(5), 115(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 3/25/27 of Arms Act, Police Station- Baghpat, District- Baghpat, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is not named in the FIR and has been falsely implicated in the present case. It is true that two persons have sustained gunshot injuries, but the applicant is not the author of any of the injuries. The name of the applicant has come up for the first time in the statement of the first informant. The said statement was recorded after a delay of about 17 days, i.e., on 16.07.2026, and thereafter, the statements of the injured persons were recorded as an afterthought, wherein the applicant has been nominated.

5. Learned counsel for the applicant has further argued that the first informant is stated to be an eye-witness of the incident, and even he did not nominate the applicant. The criminal history assigned to the applicant stands

explained. The applicant is in jail since 26.07.2026, and he undertakes to cooperate with the trial and not misuse the liberty of bail.

6. Learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the two injured persons have categorically nominated the applicant in their statements recorded by the Investigating Officer; as such, the applicant is not entitled to bail.

7. 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 delay in recording the statements of the injured persons, as well as the fact that the name of the applicant has, for the first time, come up in the confessional statement of the co-accused, which has no evidentiary value in the eyes of law, 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, accordingly, **allowed**.

8. Let the applicant- **Jagat Singh**, 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 6, 2026
(Ravi Kant)