



2026:AHC:56628

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 39294 of 2025**

Akshay

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Alok Kumar, Alok Tripathi, Desh  
Ratan Chaudhary, Pavan Kumar,  
Siddharth Chaudhary

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

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**Court No. - 66**

(Sl. No. 50 out of 116)

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised.
2. Heard Sri Alok Kumar, learned counsel for the applicant and Sri Jai Kishan Chaurasia, learned State Law Officer and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 58 of 2025, under Sections 103(1), 238 of BNS, Police Station - Doghat, District - Baghpat**, during the pendency of trial.
4. As per prosecution story, the applicant is stated to have committed the murder of the brother of the informant on 14.03.2025.
5. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR.
6. Learned counsel has also stated that the applicant has simply been made an accused on the basis of suspicion only. The FIR was instituted by the police itself as an afterthought. The FIR itself mentioned the fact that the applicant and the other co-accused persons took the dead body from the road to their house, as such, it is a clear cut case of false implication as there is no cogent or direct evidence against the applicant. The cause of

death of deceased has been found to be asphyxia as a result of ante-mortem throttling.

7. Learned counsel has next contended that the applicant is languishing in jail since 16.03.2025, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.

8. Per contra, learned State Law Officer has vehemently opposed the bail application but unable to dispute the submissions raised by the learned counsel for the applicant and also the fact that the applicant has no criminal history.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, nature of offence, severity of punishment and also considering the fact that the applicant has been nominated on the basis of suspicion and there being no cogent or direct evidence against him, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

10. Let the applicant- **Akshay**, 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.

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

**(Krishan Pahal,J.)**

**March 19, 2026**

Siddhant