HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL APPEAL No. - 1684 of 2026

Pramod Alias Shukru

.....Appellant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.

.....Respondent(s)

Counsel for Appellant(s)	:	Rama Kant Dixit, Amit Kumar Dixit
Counsel for Respondent(s)	:	G.A.

Court No. - 13

HON'BLE AVNISH SAXENA, J.

Order on Appeal

1. Heard.

2. Admit.

3. List in due course.

Ref:- Order on Bail Application

1. Heard Sri Rama Kant Dixit, learned counsel for the appellant and learned A.G.A. for the State.

2. It is the contention of learned counsel for the appellant that the accused appellant was convicted for the offence under Section 304(2) IPC and sentence an imprisonment of seven years along with fine. It is further contended that the prosecution story shows the presence of eye witnesses. There is marked contradiction in the eye witnesses account pertaining to ocular and medical testimony. The injured suffered six lacerated wounds. It was stated that the deceased and accused were taking alcohol and there was some altercation between them, which led to the incident. There was recovery of lathi from the possession of the accused appellant but there was no independent witness of recovery. There is also inconsistent statement of both the eye witnesses, which have not been taken into consideration by the trial court in appreciation of evidence. The appellant was on bail during trial. It is further contended that there is fair chance

that appeal be allowed. The accused appellant is in jail since 2.6.2026. Hence, the appellant seeks to be enlarged on bail.

3. Learned A.G.A. for the State has opposed the prayer for bail, but has not disputed the aforesaid facts.

4. Considering the inconsistency in the medical and ocular testimony, the prayer of the bail is **allowed**.

5. The appellant- **Pramod alias Shukru** shall be released on bail in Session Trial No.190 of 2014 in Case Crime No.190 of 2014, under Sections 304, 323, 504 IPC, P.S.- Motipur, District- Baharaich during the pendency of appeal on furnishing a personal bond and one surety of Rs. 25,000/- to the satisfaction of the court concerned and further the amount of 50% fine as awarded by the trial court is stayed.

(Avnish Saxena,J.)

June 25, 2026
Krishna*

Digitally signed by :-
KRISHNA KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench