2026:AHC-LKO:40727

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 3026 of 2026

Ajay Yadav And 2 Others

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home Lko.

.....Opposite Party(s)

Counsel for Applicant(s) : Pankaj Kumar Tripathi, Neetu Verma
Counsel for Opposite Party(s) : G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Rejoinder affidavit filed by learned counsel for the applicants is taken on record.

2. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

3. The present bail application has been filed by the applicants in F.I.R. No. 15 of 2026, under Sections 310(2), 317(3), 113(3), 61(2) BNS, Police Station Talgaon, District Sitapur with the prayer to enlarge them on bail.

4. The submissions of learned counsel for the applicants are that the applicants are innocent persons and have been falsely implicated in the case, they are having no previous criminal history and are in jail since 24.01.2026. The case of the applicants is similar to co-accused Omkar, Ranjeet, Upendra and Saleem @ Badakke @ Patarke @ Majhalke, who have been enlarged on bail by this Court in Criminal Misc. Bail Application Nos. 2256 of 2026, 2072 of 2026, 2724 of 2026 and 2983 of 2026, respectively. In these circumstances, the applicants are also entitled for bail. In case of being enlarged on bail, they will not misuse the liberty of bail.

5. Photocopies of the bail orders of co-accused Omkar, Ranjeet, Upendra and Saleem @ Badakke @ Patarke @ Majhalke provided

by the learned counsel for the applicants are taken on record.

6. Learned A.G.A. opposes the prayer for grant of bail to the applicants, but fairly concedes that similarly situated co-accused Omkar, Ranjeet, Upendra and Saleem @ Badakke @ Patarke @ Majhalke have already been granted bail.

7. Considering the rival submissions of learned counsel for the applicants, learned A.G.A., ground of parity with the co-accused and going through the material available on record as well as totality of fact and circumstances, I am of the view that it is a fit case for bail. Application stands allowed on the ground of parity.

8. Let applicants -Ajay Yadav, Vijay Yadav and Satanand @ Sadanand be released on bail in F.I.R. No. 15 of 2026, on their furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicants shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected.

(ii) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(iii) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 BNSS.

(v) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 BNSS may be issued and if applicants fail to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 BNS.

(vi) The applicants shall remain present, in person, before the trial court on dates fixed for (a) opening of the case, (b) framing of charge; and (c) recording of statement under Section 351 BNSS. If in the opinion of the trial court, absence of the applicants are deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

9. Any violation of above conditions will be treated misuse of bail and learned Court below will be at liberty to pass appropriate order in the matter regarding cancellation of bail.

(Rajeev Singh,J.)

June 10, 2026
VKS

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