2026:AHC-LKO:42128

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 4852 of 2026

Roop Narayan @ Pappu Kumar

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 12

HON'BLE SHREE PRAKASH SINGH, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. The present bail application has been filed by the applicant in Case Crime No. 83 of 2026, under Sections 191(2), 191(3), 190, 326(F), 109(1), 310(2), 121(1), 132, 324(5), 61(2), 126(2) BNS, Section 7 of Criminal Law Amendment Act and Section 3/4 Prevention of Damages to Public Property Act, Police Station Mailani, District Lakhimpur Kheri with the prayer to enlarge him on bail.

3. The submissions of learned counsel for the applicant are that the applicant is innocent person and has been falsely implicated in the case. Learned counsel for the applicant submits that the F.I.R. was lodged by the police personnel. It is further submitted that the applicant was only passing through the area, where the agitation was going on, but he was taken into custody by the police on the assumption that the applicant was also supporting the agitation. Submission of the learned counsel for the applicant is that the applicant was never taken into custody by the police for the purpose of interrogation. It is lastly submitted that the investigation is still going on and the applicant, who has no criminal antecedent, is in jail since 16.04.2026. In such circumstances, applicant is entitled for bail. It is also submitted that the applicant will never misuse the liberty of bail and shall fully cooperate in the investigation. He further submitted that the identically situated co-accused namely, Rajesh Kumar has already been enlarged on bail by this court vide

order dated 08-06-2026 passed in Criminal Misc. Bail Application No. 4069 of 2026 and the applicant is seeking parity of the same.

4. Learned A.G.A. opposes the prayer for grant of bail to the applicant and submits that without any proper permission, the applicant along with other persons was agitating on the date of incident and he also pelted stones on the police. It is also submitted that during skirmish, some police personnel received injuries.

5. Considering the rival submissions of learned counsel for applicant, learned A.G.A. and going through the contents of the application, F.I.R., rejection order dated 30.05.2026 and other relevant documents, it is evident that general allegations have been levelled on the applicant. It is also evident that the investigation is still going on and the applicant is in jail since 16.04.2026 and also considering the fact that the identically situated co-accused named above, has already been enlarged on bail by this court, in such circumstances, this Court of the view that the applicants are entitled to be released on bail.

6. Let applicant-**Roop Narayan @ Pappu Kumar** be released on bail in F.I.R. No. 83 of 2026, on his 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 applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which they are suspected.

(ii) The applicant 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 applicant shall file an undertaking to the effect that he 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 applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against them under

Section 269 BNS.

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

(vi) The applicant 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 applicant 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 him in accordance with law.

7. 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.

(Shree Prakash Singh,J.)

June 25, 2026
AKS

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