HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 20120 of 2026

Arvind Yadav @ Anil Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar Srivastava
Counsel for Opposite Party(s)	:	Devashish Mitra, G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Amit Kumar Srivastava, learned counsel for the applicant, Sri Devashish Mitra, learned counsel for informant and Sri Manoj Kumar Singh, learned Brief Holder for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 457 of 2025, under Section 103(1) BNS and Section 3/25/27 Arms Act, Police Station Sirauli, District Bareilly during pendency of the trial.

3. Learned counsel for the applicant submits, FIR of the present case was lodged against Arvind Yadav and three others but during investigation applicant has also been made accused in the present matter by disclosing the fact that he is also known as Arvind Yadav, who was named in the FIR but applicant never known as Arvind Yadav and therefore involvement of the applicant in the present matter prima facie appears to be false.

4. He further submits, from the FIR it reflects, the parentage of named co-accused Arvind Yadav was Hoshiyar while applicant is son of Dhanpal and this fact also suggests involvement of the applicant in the instant matter is false.

5. He further submits, as per prosecution, apart from the present case applicant is having criminal history of seven other cases but from the counter affidavit filed by the State it reflects, the above criminal history was of one Arvind who was named in the FIR and applicant is not having any criminal history to his credit and this fact again suggests that applicant has been

wrongly made accused in the present matter by disclosing that he is also known as Arvind Yadav.

6. He further submits, applicant never participated in the alleged crime and he is innocent.

7. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 09.12.2025 i.e. for last more than ten and half months.

8. Per contra, learned AGA as well as learned counsel for informant opposed the prayer for bail and submit, applicant also known as Arvind Yadav and his uncle name is Hoshiyar therefore due to mistake in the FIR parentage of the applicant has been mentioned as Hoshiyar.

9. They further submit, during investigation number of witnesses in their statements stated that Anil @ Arvind Yadav i.e. applicant by causing firearm injury committed the murder of the deceased but they could not dispute the fact that criminal history of the applicant disclosed in the counter affidavit filed by the State is the history of Arvind.

10. I have heard learned counsel for the parties and perused the record of the case.

11. In the present matter there is dispute regarding the name of applicant and his parentage. As per prosecution applicant is also known as Arvind Yadav, who was named in the FIR and he appears to be prime accused but according to the applicant he never known as Arvind Yadav and he is Anil Singh.

12. From the FIR it reflects, named accused Arvind Yadav was the son of Hoshiyar but applicant is son of Dhanpal. Further, however, according to the prosecution Hoshiyar is the uncle of the applicant and therefore due to mistake his wrong parentage has been mentioned in the FIR as Hoshiyar. Be that as it may, considering the facts of the case prima facie case of the prosecution that applicant is also known as Arvind Yadav appears to be doubtful particularly considering the fact that none of the witness during investigation stated that applicant is also known as Arvind Yadav.

13. Further, however, from the counter affidavit filed by the State it reflects, applicant is having criminal history of seven other cases but this criminal history is of Arvind and according to the applicant he is not having any

criminal history to his credit and even prosecution could not bring on record any criminal history of Anil Singh i.e. applicant.

14. Considering the overall facts and circumstances of the case, prima facie the argument advanced by learned counsel for applicant at this stage cannot be completely brushed aside.

15. Further, in the present matter applicant is in jail since 09.12.2025 i.e. for last more than ten and half months.

16. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

17. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

18. Let the applicant - Arvind Yadav @ Anil Singh be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

19. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

20. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

October 29, 2026
AK Pandey

(Sameer Jain,J.)

Digitally signed by :-
ANUPAM KUMAR PANDEY
High Court of Judicature at Allahabad