2026:AHC:207868

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 28223 of 2026

Akhilesh Gautam @ Manjay

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Along with :

1. **Criminal Misc. Bail Application No. 27037 of 2026:**
   Nand Kishore Alias Nandu
   Versus
   State of U.P.
2. **Criminal Misc. Bail Application No. 28260 of 2026:**
   Aman @ Reddi
   Versus
   State of U.P.

Counsel for Applicant(s)	:	Abhinav Mishra, Deepesh Kumar Ojha, Gajala Srivastava, Harsh Srivastava, Manish
Counsel for Opposite Party(s)	:	G.A., Sanjay Kumar Tripathi, Yogesh Kumar Tiwari

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Court No. - 65

HON'BLE SAMEER JAIN, J.

1. As these bail applications are connected and arise from the same FIR therefore these bail applications are being heard and disposed of simultaneously by common order.

2. Supplementary affidavit filed on behalf of the applicant - Akhilesh Gautam @ Manjay and rejoinder affidavits filed on behalf of applicants - Nand Kishore Alias Nandu and Aman @ Reddi are taken on record.

3. Heard Sri Deepesh Kumar Ojha, learned counsel for the applicant - Akhilesh Gautam @ Manjay, Sri Harsh Srivastava, learned counsel for the applicants - Nand Kishore Alias Nandu and Aman @ Reddi, Sri Yogesh Kumar Tiwari, learned counsel for the informant and Sri Rajiv Dhar Dwivedi, learned AGA for the State.

4. The instant bail applications have been filed seeking release of the applicants on bail in Case Crime No.176 of 2026, under Sections 103(1), 3(5) BNS, Police Station Barsathi, District Jaunpur, during pendency of the trial.

5. Learned counsel for the applicants submit, applicants Akhilesh Gautam and Aman were though named in the FIR but it is a case of circumstantial evidence and on the basis of suspicion which was arisen due to previous dispute they have been made accused in the present matter and except suspicion and confessional statement of applicant recorded by the I.O. there is no other evidence against them on record.

6. Learned counsel appearing on behalf of applicant Nand Kishore submits, he was not named in the FIR but during investigation when I.O. recorded the statement of informant then he disclosed name of applicant Nand Kishore very casually without any evidence.

7. They next submit, there is no cogent evidence which can connect the applicants with the instant crime.

8. They further submit, applicants are not having any criminal history and in the present matter they are in jail since 25.05.2026 i.e. for last more than four months.

9. Per contra, learned AGA as well as learned counsel for the informant however opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicants.

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

11. It is a case of circumstantial evidence and it reflects, except previous enmity and doubt there is no cogent and admissible evidence which can connect the applicants with the instant crime.

12. Further, applicants are not having any criminal history and in the present matter they are in jail since 25.05.2026 i.e. for last more than four months.

13. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicants are entitled to be released on bail.

14. Accordingly, without expressing any opinion on the merits of the case, the both the instant bail applications are allowed.

15. Let the applicants - **Akhilesh Gautam @ Manjay, Nand Kishore Alias Nandu** and **Aman @ Reddi** be released on bail in the aforesaid case on furnishing personal bonds and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

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

(ii) The applicants 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 applicants shall not indulge in any criminal and anti-social activity.

16. 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.

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

(Sameer Jain,J.)

October 5, 2026
Shahroz

Digitally signed by :-
SHAHROJ ALAM
High Court of Judicature at Allahabad