HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37619 of 2026

Rishabh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rajesh Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Rajesh Singh, learned counsel for the applicant hands up supplementary affidavit explaining the criminal history, same is taken on record

1-A Heard Sri Singh, learned counsel for accused applicant, and learned A.G.A. for State.

2. The present bail application has been moved by the applicant/ accused- **Rishabh** to enlarge him on bail in Case Crime No. 41 of 2026, under Sections 331(4), 305 BNS, P.S. Ramgarh, District Firozabad, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the FIR has been lodged by informant Mukim on 13.1.2026 for the theft being committed in his residence by some anonymous persons, wherein cash and jewellery has been stolen. It is the contention of the learned counsel for the applicant accused that after some time the police has arrested the accused applicant in police encounter case. There is gun shot injury sustained by the accused applicant. There is also a recovery, shown from the accused applicant, which is in absence of independent witnesses. The applicant has criminal history of 14 cases and he is on bail in all those cases. The charge sheet is submitted. The accused applicant is languishing in jail since 14.01.2026. He seeks to be enlarged on bail.

4. Learned A.G.A. for State has opposed the prayer for bail.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering that the arrest and recovery has been made in absence of independent witnesses and despite disclosure statement there is no other incriminating material against the accused applicant, and that the charge sheet has been submitted, the accused/applicant is entitled to be released on bail.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant 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 court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

October 29, 2026
RavindraKSingh

(Avnish Saxena,J.)

Digitally signed by :-
RAVINDRA KUMAR SINGH
High Court of Judicature at Allahabad