2026:AHC:228044

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31191 of 2026

Tashleem

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Dinesh Kumar Yadav, learned counsel for the applicant and Sri Ashutosh Singh, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.135 of 2026, under Section 309(4) BNS, Police Station Kithor, District Meerut, during pendency of the trial.

3. Learned counsel for the applicant submits, however this is second bail application filed on behalf of applicant and his first bail application has been dismissed on 01.05.2026 but applicant is detained in jail for offence relating to Section 309(4) BNS since 26.032026 i.e. for last more than seven months and however as per prosecution he was apprehended at spot but alleged looted Rs.33,000/- have not been recovered from his possession.

4. He next submits, alleged offence is triable by Magistrate and applicant is not having any criminal history.

5. He further argued, therefore considering the facts of the case, applicant may be enlarged on bail.

6. Per contra, learned AGA opposed the prayer for bail and submits, this is second bail application filed on behalf of

applicant but could not dispute the fact that alleged offence is triable by Magistrate and applicant is not having any criminal history and in the present matter he is in jail for last seven months.

7. I have heard both the parties and perused the record of the case.

8. However, this is second bail application filed on behalf of applicant and his first bail application has been dismissed after considering the merit of the case but it reflects, alleged offence is triable by Magistrate and applicant is not having any criminal history and in the present matter he is in jail for last seven months.

9. Further, however as per prosecution, applicant was apprehended at spot but in spite of that, alleged looted money has not been recovered from his possession.

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

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

12. Let the applicant - **Tashleem** 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.

13. 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.

14. 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.

November 2, 2026
Shahroz

(Sameer Jain,J.)

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