2026:AHC:227606

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31633 of 2026

Shishupal

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Lal Prabhakar Singh, Saurabh Yadav
Counsel for Opposite Party(s)	:	Ashok Kumar Singh Bais, G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Lal Prabhakar Singh, learned counsel for the accused-applicant, Sri Anuj Kumar, learned counsel holding brief appeared for the informant and learned A.G.A. for the State.

2. The present bail application has been moved by the accused-applicant **Shishupal** to enlarge them on bail in Case Crime No. 161 of 2026, under Sections 115(2), 191(2), 191(3), 352, 351(3), 333, 109(1), 118(1) BNS, P.S.- Rajpura, District- Sambhal, during the pendency of trial.

3. It is contended by learned counsel for the accused-applicants that a belated F.I.R. has been lodged on 30.07.2026 by one of the injured/informant Dharamveer with the allegation that seven named persons including the accused-applicant and two anonymous persons had assaulted the informant and his family members, namely, Kalyan, Baburam and Sumit. Further contended that there is Pradhani enmity between the parties, who are of the same village, due to which, the accused persons have been falsely implicated. Further contended that one Sumit suffered nasal bone injury. There is no specific role attributed on the accused-applicant. The weapon used are lathi, danda, the sharp edged weapon, bricks and iron rod. There is recovery of lathi from the accused-applicant. The arrest and recovery has been made in the absence of independent witness. The charge sheet is submitted. The applicants have no criminal history. The applicants are in jail since 31.07.2026 and hence, the applicants seek to be released on bail.

4. Learned A.G.A. for State has opposed the prayer for bail of the applicants, but could not dispute the aforesaid facts.

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

6. Considered the omnibus allegation, the nature and number of injuries and the arrest and recovery has been made in the absence of independent witness.

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

8. The accused/applicants 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-applicants shall cooperate in judicial process for fair and speedy disposal.

November 2, 2026
Abhishek Sri.

(Avnish Saxena,J.)

Digitally signed by :-
ABHISHEK RANJAN SRIVASTAVA
High Court of Judicature at Allahabad