2026:AHC:209115

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33538 of 2026

Shivprasad

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 68
(Sr. No.5 out of 190)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.

2. Heard Sri Arvind Kumar, learned counsel for the applicant, Sri Anit Kumar Shukla, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.192 of 2026, under Sections 115(2), 352, 351(3), 110, 109(1) BNS, Police Station Duddhi, District Sonbhadra, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. There are general and omnibus allegations against all the accused persons in the FIR, but subsequently the statement of injured was recorded and he assigned the role of assaulting him by an axe to co-accused Umesh Kumar Yadav. The role of catching hold has been assigned to the applicant. The criminal history assigned to the applicant has been explained. He is in jail since 12.7.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that applicant has been assigned the role of catching hold only and the role of assault has been assigned to other co-accused person, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is ***allowed***.

7. Let the applicant- **Shivprasad**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

8. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 6, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad