2026:AHC:227804

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38618 of 2025

Nitish Rajpoot

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Padmaker Pandey, Satya Dheer Singh Jadaun

Counsel for Opposite Party(s) : Aman Arya, G.A., Gyanendra Kumar

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Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Satya Dheer Singh Jadaun, learned counsel for the applicant, Sri Aman Arya, learned counsel for the informant, Sri R.M. Yadav, learned A.G.A. for the State and perused the material placed on record.

3. This is the fourth bail application on behalf of the applicant. All the previous bail applications were rejecte by this Court vide rders dated 04.07.2023, 18.01.2024 and 13.09.2024, passed in Criminal Misc. Bail Application Nos.32455 of 2022, 38730 of 2023 and 23233 of 2024, respectively.

4. Applicant seeks bail in Case Crime No.277 of 2022, Under Sections 147, 148, 149, 307 & 325 I.P.C., Police Station Chakeri, District Kanpur Nagar, during the pendency of trial.

5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. He has been in jail since 11.04.2022, and, as such, the period of his incarceration is approximately four and a half years. Similarly placed co-accused persons have already been enlarged on bail. The applicant undertakes to cooperate with the trial and not to misuse the liberty of bail.

6. Learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application but the submissions raised by the learned

counsel for the applicant could not be disputed.

7. This Court had called for the status of the trial from the concerned Trial Court. As per the status report dated 29.10.2026, eleven witnesses have been examined, and the case is fixed for the remaining prosecution witnesses. However, the prosecution is seeking adjournments in the case, due to which the trial is not proceeding.

8. Considering the facts and circumstances of the case, the submissions advanced by learned counsel for the parties, and the evidence on record, particularly the period of incarceration of approximately four and a half years and the fact that the co-accused persons have already been enlarged on bail, and without expressing any opinion on the merits of the case, *prima facie*, this Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

9. Let the applicant- **Nitish Rajpoot**, 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.

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

(Krishan Pahal,J.)

November 2, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad