2026:AHC:227742

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 34239 of 2026

Murlidhar Yadav @ Murli

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Adarsh Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard counsel for the applicant, Sri Nagendra Mishra, learned AGA for the State-opposite party. Perused the material available on record.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 500 of 2024, under Sections 115(2), 351(3), 352, 105 B.N.S., Police Station- Ghughali, District- Maharajganj, during the pendency of the trial.

3. Counsel for the applicant contends that the applicant is the son of the deceased and has been falsely implicated in the present case. During the course of trial, the informant, who is the mother of the applicant, was examined as P.W.-1 and the injured Shubham was examined as P.W.-4. Both the prosecution witnesses have not supported the prosecution case and have been declared hostile by the trial Court vide orders dated 16.06.2026 and 06.10.2026. The testimonies of PW-1 and PW-4 are annexed as Annexure no.5 to the bail application and Annexure No.SA-1 to the supplementary affidavit. Criminal history of the applicant has been explained in paragraph no.3 of the supplementary affidavit. The applicant is in jail since 02.01.2025 and if he is released on bail, he will not misuse the said liberty.

5. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that during trial, the informant and the injured, who were examined as PW-1 and PW-4, respectively, have not supported the prosecution case and have been declared hostile by the trial Court. Moreover, the applicant has remained confined for more than a year and ten months and after submission of the charge-sheet there is no hope of

early conclusion of trial, and no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, therefore, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant- **Murlidhar Yadav @ Murli,** involved in the aforesaid case, be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence; and,

(iii) shall not pressurize the prosecution witnesses.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

November 2, 2026
Abhishek

(Vivek Varma,J.)

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