2026:AHC:207522

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35324 of 2026

Vikas Kumar Gautama

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Arvind Kumar Srivastava, Sunil Kumar Saroj
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Sunil Kumar Saroj, learned counsel for the applicant and Sri Kunwar Tejandra Bahadur, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 111 of 2026, under Sections 191(2), 115(2), 352, 103(1) BNS, Police Station Rajatalab, District Varanasi during pendency of the trial.

3. Learned counsel for the applicant submits, however, applicant is named in the FIR along with others but from the statement of eye witness it reflects, co-accused Himanshu was the prime accused who inflicted knife injuries to the deceased.

4. He further submits, after considering the entire facts of the case co-accused Mukesh Rajbhar, who was also named in the FIR along with applicant has been released on bail by this Court vide order dated 24.09.2026 passed in Criminal Misc. Bail Application No. 34087 of 2026 and case of applicant is at par with him.

5. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 09.07.2026.

6. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

7. I have heard learned counsel for the parties and perused the record of the

case.

8. Considering the fact that prime accused in the present matter appears to be co-accused Himanshu and similarly placed co-accused Mukesh Rajbhar has been released on bail by this Court and applicant is not having any criminal history and in the present matter he is in jail since 09.07.2026, in my view, applicant is entitled to be released on bail.

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

10. Let the applicant - Vikas Kumar Gautama 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.

11. 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.

12. 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.

October 5, 2026
AK Pandey

(Sameer Jain,J.)

Digitally signed by :-
ANUPAM KUMAR PANDEY
High Court of Judicature at Allahabad