2026:AHC:207155

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35242 of 2026

Narveer

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.

2. Heard Sri Sudhir Kumar Tiwari, learned counsel for the applicant and Sri Imran Khan, learned AGA for the State.

3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.193 of 2026, under Section 191(2), 191(3), 190, 103(1) and 109(1) BNS and Section 3/25 Arms Act, Police Station Bhamora, District Bareilly, during pendency of the trial.

4. Learned counsel for the applicant submits, however applicant is named in the FIR alongwith six others and as per allegation applicant alongwith other accused also made assault upon the deceased but specific role of causing firearm injury to the deceased has been assigned to co-accused Phool Singh and Jeeraj.

5. He next submits, even postmortem report suggests, deceased sustained one firearm entry wound and one firearm exit wound and therefore implication of applicant prima facie appears to be false.

6. He next submits, during investigation when the statements of witnesses were recorded then also they reiterated the version of the FIR and role of causing firearm injury to the deceased was assigned by them to co-accused Phool Singha and Jeeraj.

7. He further submits that however, as per prosecution when applicant was arrested then from his possession one country made pistol was

recovered but there is no evidence that the alleged recovered country made pistol was used in the alleged crime and charge sheet in the present matter has been filed.

8. He further argued that even co-accused Satyendra has been released on bail by this Court vide order dated 5.8.2026 and his bail order has been annexed at page 80 of the paper book and except recovery of country made pistol allegedly recovered from the possession of the applicant, case of applicant is identical to him.

9. He next submits that however apart from the present case applicant is having criminal history of one another case but his criminal history has been explained in the supplementary affidavit filed today and that case relates to minor offence.

10. He further argued that in the present matter applicant is in jail since 23.4.2026 .i.e., for the last more than five months.

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

12. I have heard both the parties and perused the record of the case.

13. However, applicant was named in the FIR and as per prosecution, he along with other named accused committed the murder of the deceased but from the statements of eye witnesses it reflects that co-accused Phool Singh and Jeeraj were the prime accused, who caused fire arm injuries to the deceased.

14. However, as per prosecution when applicant was arrested then from his possession one country made pistol was recovered but till date the alleged recovered country made pistol could not be connected with the instant crime.

15. Further, co-accused Satyendra, who was also named in the FIR, has been released on bail by this Court and the case of applicant is almost par with him.

16. Further, however apart from the present case applicant is having

criminal history of one another case but that case relates to minor offence.

17. Further, in the present matter applicant is in jail since 23.4.2026, i.e., for the last more than five months.

18. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

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

20. Let the applicant-**Narveer** 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.

21. 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.

22. 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.

(Sameer Jain,J.)

October 5, 2026
SKM

Digitally signed by :-
SHRAVANA KUMAR MISHRA
High Court of Judicature at Allahabad