2026:AHC:209168

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35265 of 2026

Faisal

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar, Ompal Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68
(Sr. No.32 out of 190)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Amit Kumar, learned counsel for the applicant, Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.109 of 2026, under Sections 87, 126(2), 70(1), 351(3) BNS, Police Station Chandpur, District Bijnor, during the pendency of trial.

4. This is the second bail application on behalf of the applicant. The first bail application was rejected by this Court vide order dated 27.5.2026 passed in Criminal Misc. Bail Application No.18403 of 2026.

5. Learned counsel for the applicant has stated that subsequent to the rejection of the first bail application, the victim has been examined during the trial as PW-2 and has completely resiled from her earlier statements. Rather, she has refused to identify any of the accused persons. As such, there is no likelihood of conviction of the applicant in the present case. There is no criminal history of the applicant and he is in jail since 7.3.2026, and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned A.G.A. has vehemently opposed the bail application but could not dispute the submissions made by the counsel for the applicant.

7. 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 the victim has not supported the prosecution story during trial, and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Faisal**, 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.

9. 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