2026:AHC:209682

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35754 of 2026

Ajay Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Anil Kumar Srivastava, learned Senior Counsel assisted by Sri Narendra Kumar, learned counsel for the applicant, Sri Rajendra Prasad Singh, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.127 of 2025, under Sections 191(2), 191(3), 190, 109, 125, 115(2), 352, 351(2), 117(2) and 110 of B.N.S., Police Station- Indergarh, District- Kannauj, during the pendency of trial.

4. Learned Senior Counsel for the applicant has argued that there are general and omnibus allegations against all the accused persons, including the applicant. The role of co-accused Amar Pratap @ Subodh has been distinguished in the statement of the informant. The FIR itself was delayed by about 3 days, and there is no explanation for the said delay. The investigation itself is tainted. The Investigating Officer had earlier found minor offences against the applicant only, but subsequently added the section relating to attempt to murder. The applicant has no criminal history and is in jail since 13.05.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned State Law Officer has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not

be disputed.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the delay in the institution of the FIR and there being general and omnibus allegations against the accused persons, including the applicant, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

7. Let the applicant- **Ajay Kumar**, 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.

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

(Krishan Pahal,J.)

October 7, 2026
(Ravi Kant)

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