HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36462 of 2026

Badal Som

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Deisy Pundir, Rahul Singh Tomar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Rahul Singh Tomar, learned counsel for the applicant hands up the supplementary affidavit annexing the criminal history. The same is taken on record.

1A. Heard Sri Tomar, learned counsel for the accused-applicant and learned A.G.A. for the State.

2. The present bail application has been moved by the accused-applicant **Badal Som** to enlarge him on bail in Case Crime No. 572 of 2026, under Sections 309(4), 351(3), 126, 317(2), 3(5) BNS, P.S.- Sardhana, District-Meerut, during the pendency of trial.

3. It is contended by learned counsel for the accused-applicant that the F.I.R. has been lodged by one Jahid on 14.08.2026 against the anonymous person with the allegation that his mobile phone and Rs.5,000/- has been snatched by two anonymous persons. The name of the accused-applicant has been figured out from the statement of one Sawan, who has purchased the mobile phone from the accused-applicant for Rs.1500/-, when he put his sim card in the mobile, the same was tracked and he was investigated. It is thereafter that he has disclosed the name of the accused-applicant that they have sold this mobile. Further contended that the identification parade of the accused-applicant has been carried out after the disclosure of name and the arrest of the accused-applicant. The applicant has three cases criminal history, in which, in one case, he is on bail, in one case, the final report is submitted and in one case, he is in jail. The charge sheet is

submitted. The applicant is in jail since 14.08.2026 and hence, the applicant seeks to be released on bail.

4. Learned A.G.A. for State has opposed the prayer for bail of the applicant, but could not dispute the aforesaid facts.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considered the role of accused-applicant and there is apparent gap between the statement of Sawan from whom, the mobile was recovered and the identification parade without the previous particulars shown by the informant.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant 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 court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

October 28, 2026
Shivangi

Digitally signed by :-
SHIVANGI YADAV
High Court of Judicature at Allahabad