2026:AHC:211985

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35016 of 2026

Anil Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sudhakar Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Sudhakar Yadav, learned counsel for the applicant, Sri Praveen Kumar Srivastava, learned counsel for the informant as well as Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.212 of 2026 (Case No.45405 of 2026), under Sections 109, 61(2) B.N.S. and 3/25(1B) of Arms Act, Police Station- Usahait, District- Budaun, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The applicant is not named in the FIR and his name has come up subsequently four months after the incident. As such, the applicant is entitled to bail. The statement of injured could not be recorded as he is in coma. The alleged recovery has been falsely foisted on the applicant. The applicant has no criminal history and is in jail since 6.6.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned counsel for the informant and learned A.G.A. have 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 fact that applicant is not named in the FIR, 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- **Anil 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 8, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad