2026:AHC:208090

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35370 of 2026

Yunus

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 68

(Sr. No. 80 out of 278)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Amit Kumar Pandey, learned counsel for the applicant, Ms. Ifrah Islam, learned State Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 481 of 2026, under Sections 191(2), 115(2), 352, 351(3), 109(1), 3(5) of B.N.S., Police Station Katghar, District Moradabad, 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 allegations are per se false. There are general and omnibus allegations against all the accused persons including the applicant. There is a material contradiction as far as the number of accused persons is concerned, as its mentioned in the F.I.R. that four persons sustained injuries, but there is medical examination of only one person. There is a cross version to the instant case as F.I.R. No. 506 of 2026 was instituted on behalf of the applicant in which two persons sustained injuries from the side of the applicant. As such there being a cross version at this point of time it cannot be ascertained as to which party was the aggressor one. The applicant has no criminal history and is in jail since 28.08.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned State 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, particularly there being cross-version to the instant case, 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- **Yunus,** 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 5, 2026
Suraj Srivastav

Digitally signed by :-
SURAJ SRIVASTAVA
High Court of Judicature at Allahabad