2026:AHC:207126

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35240 of 2026

Maan Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rajendra Kumar Srivastava, Siddharth Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri V. P. Tripathi, learned A.G.A. for the State-opposite party, and perused the records.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 342 of 2026, under Sections 105, 74 B.N.S., Police Station Rasoolpur, District Firozabad during the pendency of the trial.

3. Counsel for the applicant contends that the applicant was not named in the first information report and has been falsely implicated in the present case. The incident is alleged to have occurred on 16.06.2026, whereas the first information report was lodged on 18.06.2026. The delay in lodging the first information report is fatal to the prosecution case. As per the post mortem report '*the cause of death is Haemorrhaegic shock as a result of lacertion of spleen consequent to blunt force*'. The names of the applicant and three others were disclosed subsequently by the informant in her statement recorded under Section 180 B.N.S.S. Placing reliance upon the statement of witness namely, Anand, it is contended that on the basis of information received the applicant and other co-accused have been implicated. There is no CCTV footage connecting the applicant with the offence. The informant is also not the eye-witness to the alleged incident. At this stage, there is no corroborative evidence to link the applicant with the offence. Identically placed co-accused Santosh Kumar has already been granted bail by this Court vide order dated 24.09.2026 passed in Criminal Misc. Bail Application No.34052 of 2026. Applicant claims parity. The applicant is in jail since 19.06.2026 having no criminal antecedents and in case, he is

enlarged on bail, he will not misuse the liberty of bail.

4. Learned AGA for the State has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the applicant was not named in the first information report. The name of the applicant surfaced during the course of investigation. There is no eye-witness to the alleged incident. At this stage, there is no corroborative evidence to link the applicant with the offence. Co-accused Santosh Kumar has already been granted bail by this Court. Further, the applicant has presently remained confined for more than three months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant, **Maan Singh**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

i. the applicant shall not tamper with the prosecution evidence;

ii. the applicant shall not pressurize the prosecution witness;

iii. the applicant shall appear on each and every date fixed by the trial court.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

October 5, 2026
Abhishek

(Vivek Varma, J.)

Digitally signed by :-
ABHISHEK SINGH
High Court of Judicature at Allahabad