2026:AHC:209504

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35788 of 2026

Gajendra Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rajesh Kumar Singh, Sadrul Islam Jafri, Sr. Advocate
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Rajesh Kumar Singh, learned counsel for the applicant and Sri Vijay Kumar, learned AGA-I for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 13 of 2026, under Sections 103(1), 3(5) BNS, Police Station North, District Firozabad during pendency of the trial.

3. Learned counsel for the applicant submits, however, applicant is named in the FIR along with others and according to the FIR applicant and co-accused badly beaten the deceased due to which he sustained injuries and died but post mortem report suggests however deceased sustained four injuries but all the injuries were on non vital parts.

4. He further submits, deceased died due to Cardio Pulmonary arrest and therefore it could not be reflected, applicant and other accused were having any intention to cause death of the deceased.

5. He further submits, after considering the facts of the case co-accused Ankush and Nitin Singh, who were also named in the FIR along with applicant, have been released on bail by this Court and their bail order have been annexed at page-149 of the paper-book and on facts case of applicant is at par with them.

6. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 06.01.2026.

7. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

8. I have heard learned counsel for the parties and perused the record of the case.

9. However, applicant is named in the FIR along with others and as per allegation he along with other accused beaten the deceased due to which deceased sustained injuries and died but post mortem report suggests that deceased sustained injuries on non vital parts and he died due to Cardio Pulmonary arrest. Considering this fact, this Court finds merit in the argument advanced by learned counsel for applicant that prima facie it could not be reflected, applicant and other accused were having any intention to cause death of the deceased.

10. Further, co-accused Ankush and Nitin Singh, who were also named in the FIR along with applicant have been released on bail and case of applicant is at par with them.

11. Further, applicant is not having any criminal history and in the present matter he is in jail since 06.01.2026.

12. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

13. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

14. Let the applicant -Gajendra Singh 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 the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

15. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

16. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

October 7, 2026
AK Pandey

(Sameer Jain,J.)

Digitally signed by :-
ANUPAM KUMAR PANDEY
High Court of Judicature at Allahabad