2026:AHC:210678

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35882 of 2026

Virendra

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Abhinay Bhattacharya, Zafar Ahmad Khan

Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Abhinay Bhattacharya, learned counsel for the applicant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.262 of 2026, under Sections 109(1), 351(2), 352, 3(5), 191(2), 191(3), 190 B.N.S. and under Section 3/25/27 of Arms Act, Police Station Jewar, District (Commissionerate) Gautam Buddh Nagar, 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 was not named in the F.I.R. and his name has come up in the confessional statement of the injured person as an afaterthought. The case of the applicant is at better footing to that of co-accused Vikram who has already been enlarged on bail by Co-ordinate Bench of this Court vide order dated 30.09.2026 in Criminal Misc. Bail Application No.34749 of 2026. The applicant has no criminal history and is in jail since 21.08.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned State Law 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, taking into consideration the fact that his name has come up in the confessional statement of injured person as an afterthought 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- **Virendra**, 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 7, 2026
Ashok Gupta

Digitally signed by :-
ASHOK KUMAR GUPTA
High Court of Judicature at Allahabad