2026:AHC:209884

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35847 of 2026

Shailesh Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Praveen Mishra, Raghuvansh Misra, Rajeev Kumar Singh

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

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today is taken on record.

2. Heard Sri Raghuvansh Mishra, learned counsel for the applicant, Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.

3. This is the second bail application on behalf of the applicant. The first one was rejected by this Court vide order dated 23.02.2026 passed in Criminal Misc. Bail Application No.41050 of 2025.

4. Applicant seeks bail in Case Crime No.194 of 2024, under Sections 103(1), 140(1), 238, 61(2) B.N.S., Police Station Nagar, District Basti, during the pendency of trial.

5. Learned counsel for the applicant has stated that the applicant is absolutely innocent and has been falsely implicated in the present case. The star-witnesses, i.e., PW-2, PW-3, PW-4, PW-5, PW-6 and PW-7 have been examined during the trial, and they have completely resiled from their earlier statements and have been cross-examined by the Public Prosecutor after being declared hostile. PW-1 is the informant, who is not an eye-witness. There is no likelihood of the applicant’s conviction in the present case. The criminal history assigned to the applicant stands explained. He is in jail since 17.10.2024 and is ready to cooperate with the trial and undertakes not to

misuse the liberty of bail if released.

6. Learned A.G.A. has vehemently opposed the bail application but could not dispute the submissions made by the counsel for the applicant.

7. 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 PW-2, PW-3, PW-4, PW-5, PW-6 and PW-7 have turned hostile, 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**.

8. Let the applicant- **Shailesh Singh**, be released on bail 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.

9. 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
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad