HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37700 of 2026

Govind Saini

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rajesh Dwivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Rajesh Dwivedi, learned counsel for the applicant, Ms. Ifrah Islam, learned State Law Officer and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 252 of 2020, under Sections 3/25/27 Arms Act, Police Station Chaubepur, District Kanpur 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. A false recovery of 12 bore double barrel gun has been foisted on the applicant along with three other co-accused persons, who have also been shown to have carried different weapons on 28.8.2020. The allegations are *per se* false.

5. Learned counsel has further stated that the fundamental rights of the applicant as enshrined in Article 21 of the Constitution of India stand violated, as he is languishing in jail since 28.8.2020 and the period of incarceration is more than six years. There is no likelihood of conclusion of trial in the near future. The applicant has not been enlarged on bail in the other case but in the instant case, he has been falsely implicated, as such, he is entitled for bail. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. 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.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, taking into consideration the long period of incarceration and there being no cogent evidence on record to corroborate the said allegations made against the applicant 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- **Govind Saini,** who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to verification of sureties, with the condition that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

October 23, 2026
Shalini

Digitally signed by :-
SHALINI JAISWAL
High Court of Judicature at Allahabad